

**Trafficking of Women in Vietnam:
An Analysis of Vulnerability, Health and Well-being Factors**

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Vietnam

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A thesis submitted in partial fulfilment of the requirement for the degree of
Master of Public Health

by

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Declaration:

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Abstract

Human trafficking is a public health issue and a human right violation. Trafficking of women in Vietnam has become a growing concern since the number of women and girls trafficked is increasing in recent years. Thousands of Vietnamese women are trafficked internally and internationally for labour and sexual exploitation. This study aims to explore the vulnerability for trafficking and the impact of trafficking on women's health and well-being in order to propose recommendations for effective prevention of the trafficking of women and for assisting trafficked women. The study was conducted by literature review of public data, study reports of the national and international organisations.

The study analysis shows that the contributing factors to trafficking of women are varied and complex. Those main factors frequently are related to poverty, unemployment, unregulated migration due to high demand for labour, gender based discrimination, lack of education opportunities, loopholes in legal frameworks and poor law enforcement. Consequently, trafficking has profound impact on women's health and well-being. Particularly the trafficked women endure forms of abuse, violence and traumatic events that cause numerous health problems related to physical, mental, sexual and reproductive health but they face several barriers to access to health care services during and after the trafficking situation. The risks and abuse they have suffered can diminish their social and economic well-being in a long term.

In response to this problem, the Vietnamese Government implemented a range of measures for prevention of trafficking, protection and assistance to trafficked victims. Despite the efforts, the effectiveness of existing interventions is still modest and difficult to measure due to lack of competence and experience of local authorities, lack of coordination mechanism and limited resources.

Based on this study recommendations are made to the Vietnamese Government at national level regarding strengthening of labour migration policies and regulations, law enforcement, further research on trafficking of women and men for labour exploitation, good practices of trafficking and support services for trafficked victims. In addition, recommendations are made for the local government agencies to develop intervention programmes for prevention of trafficking and assistance to the trafficked women. These programmes should be comprehensive, multi-pronged and multi-level to reduce the vulnerability of women to trafficking.

Key words: Human trafficking, human smuggling, health, migration, health risks, health consequences, impact, violence, abuse, sexual exploitation, forced labour, brokered marriage, labour migration, Asia, Vietnam.

List of Abbreviations

AIDS	Acquired Immune Deficiency Syndrome
GAATW	The Global Alliance against Traffic in Women
GDP	Gross Domestic Product
GSO	General Statistics Organisation
HCMC	Ho Chi Minh City
HIV	Human Immunodeficiency Virus
IEC	Information, Education, Communication
ILO	International Labour Organisation
IOM	International Organisation for Migration
MOFA	Ministry of Foreign Affairs
MoH	Ministry of Health
MoLISA	Ministry of Labour, Invalids, Social Affairs
MoPS	Ministry of Public Security
NGOs	Non-Governmental Organisations
PTSD	Post-Traumatic Stress Disorder
SEA	Southeast Asia
STIs	Sexually Transmitted Infections
UN	United Nations
UNDP	United Nations Development Programme
UNGASS	United Nations General Assembly
UNODC	United Nations Office on Drugs and Crime
VND	Viet Nam Dong (Vietnamese currency)
VWU	Vietnam Women's Union

CHAPTER 1. INTRODUCTION

The author of this thesis is the programme coordinator of a Non-Governmental Organisation named as the Quality of Life Promotion Centre based in Ho Chi Minh City (Life Centre) in the South of Vietnam. Within the organisation, the author is responsible for health project management. The author has previously worked in health programmes for International and national non-governmental organisations in Vietnam. This subject has appealed interest because of the following reasons. Firstly, trafficking is not a new phenomenon in the world, but it has become a 'hot' topic and given much concern from the public and authorities in Vietnam in recent years as it has profound impacts on not only health and well-beings of population, but also the socio-economic development of the country. Women and children are the most affected. Secondly, the subject is very much relevant to my work, educational background and my organisation's missions. Thirdly, the study will be useful for my organisation to develop follow-up intervention programmes.

The issue of trafficking has emerged in the socio-economic life of Vietnam since 1990s. For the last decades, learning from the authorities and mass media in Vietnam, thousands of women were reported becoming victims of trafficking. However, it remains a challenge for the Vietnamese government to address the issue in an effective manner due to its complexity and sensitivity of the problem.

This thesis aims to analyse the vulnerability factors of trafficking in women as well as the impact of trafficking on women's health and well-beings. A part of the study highlights the existing government's responses to trafficking. Finally, recommendations for prevention of trafficking and assistance to trafficked women are proposed in order to reduce the vulnerability of women to trafficking.

The thesis is structured in seven chapters as follows. **Chapter 2** provides a brief background on Vietnam. **Chapter 3** addresses the rationale of study, objectives and methodology. **Chapter 4** displays the study findings in four sections. Section 4.1 presents an overview of human trafficking within and from Vietnam. Section 4.2 analyses the vulnerability factors of trafficking. Section 4.3 describes the impact of trafficking on women's health and well-beings. The responses of Vietnamese Government to trafficking of women are described in Section 4.4. The study results are discussed in **Chapter 5**. The study is concluded in **Chapter 6**. Finally recommendations are made in **Chapter 7**.

The thesis will be used to develop an action programme on counter-trafficking in women within the author's organisation. Life Centre The programme will be designed to feed in the national anti-trafficking strategy. This study will be disseminated amongst the decision makers, the relevant government agencies, NGOs/INGOs including support service providers and local authorities via different channels in order to improve the responses to trafficking in persons.

CHAPTER 2. COUNTRY PROFILE

2.1 Land, population and administration

Socialist Republic of Vietnam (Vietnam) is located in Southeast Asia and bordered by Gulf of Tonkin and the South China Sea to the East, China to the North, Laos and Cambodia to the West, and the Gulf of Thailand to the South (Please refer to Appendix 1 for the country map). Vietnam extends approximately 331,689 square kilometres in area and shares 3,730 square kilometres of land borders with Cambodia, China and Laos.

As of 2007, Vietnam was home to 85,154 million inhabitants consisting of 41,855 males and 43,299 females. The annual population growth rate was 1.2 percent (GSO, 2007). The average population density was 257 persons per square metre, one of the highest levels in the world. A majority of Vietnamese population (72.9 percent) are rural-based whereas 27.1 percent of Vietnam's population live in urban areas.

Vietnam is a single-party state, governed by the Communist Party. The National Assembly is designated the highest representative body of the citizenry and is the only organ with constitutional and legislative powers (MOFA, 2007a). Administratively, the country is divided into 64 provinces, which are further sub-divided into districts and municipalities. Each province/city has an administrative body which has a parallel Communist Party body. Provinces/Cities are administered by a Provincial/City People's Committee elected by the people in the province. All are co-ordinated by the central Government in Hanoi. Mass organisations such as Women's Union, Farmer's Union and Youth Union, exist to accommodate the interests of the people and to serve as a link between the people and the Party. The overall political system in Vietnam is quite stable to date (MOFA, 2007a).

2.2 Socio-economic situation

Vietnam is primarily an agrarian country with the agricultural sector employing 60 percent of the labour force and contributing about 21.89 percent of GDP and 30 percent of exports.

The Renovation policy launched in 1986 is an important milestone for the development of Vietnam's economy. The introduced reforms under the Renovation policy has intended to facilitate the transition from a 'centralised planned' economy into a 'socialist market-oriented' economy operating under state planning and management. The GDP growth rate has been substantially increased and sustained at the 8 percent. Based on purchasing power parity, Vietnam's per capita GDP was approximately US\$3,071 (UNDP, 2008). Vietnam now ranks 105 out of 177 countries in UNDP Human Development Index.

The poverty rate has rapidly declined from 58.1 percent in 1993 to 16.0 percent in 2006, according to the new national poverty line, which is equal to

VND200,000 (US\$12.1) per capita income in rural areas and VND260,000 (US\$ 15.8) in urban areas¹ (World Bank, 2006). With the human poverty index of 15.2 Vietnam is ranked as 36 out of 108 developing countries in 2004 and Gender related development index was 91 out of 157 nations (UNDP, 2008).

Though the economic growth has brought benefits to all people, wealth is concentrated in urban areas, particularly in and around big cities such as Hanoi, Hai Phong and Ho Chi Minh Cities. The poverty rate remains high and the majority of the poor population live in certain rural areas, particularly the northwest, north-central coast, and central highlands of the country (World Bank, 2006). Gender equality issues are often amplified by factors such as age, ethnicity, and regional differences, especially between rural and urban areas. Economic change leads to social change in both the community and the family, especially in the context of trends in migration (World Bank, 2006).

2.3 Education and culture

Vietnam's literacy rate is rather high. The adult literacy rate was 95 percent in 2004 (PRB, 2008). The primary net enrolment rate has increased from 89 percent in 1990 to 96 percent and the drop-out rate has declined from 12 percent to about 3 percent in 2004. The transition rate from primary to lower secondary has increased from 78 percent to 88 percent and a majority of young Vietnamese have gained access to nine years of basic education. In spite of much progress attained in improvement of the educational system, the country is facing challenges in educational access and quality. The quality remains low and varies by region and ethnic groups. An estimated 20 percent of ethnic minority children have no access to primary education (PRB, 2008).

Vietnam has 54 ethnic groups of which Vietnamese population represent for 90 percent of the total population. Vietnamese is the national language. Buddhism is the most popular religion in Vietnam with 10 million followers (MOFA, 2007b). The second is Roman Catholicism with 6 million adherents. Other faiths including Protestantism, Caodaism, Muslim, Hoa Hao share a smaller proportion of followers (MOFA, 2007b).

Vietnamese culture is profoundly influenced by Confucian ideology. Gender disparities are often attributed to Confucian traditions about men and women's roles. Women control domestic sphere while men predominate in the public sphere. Women had filial obligations to in-laws and could not question their husband's authority. However, the recent study on gender confirmed that the Confucian patriarchal lineage and hierarchies of age, gender and education may account for some of the familial and social traditions that differentially structure men's and women's social and economic interactions and access. But these traditions alone are insufficient to explain the variant forms of gender inequality in Vietnam today.

¹ Since 2005, Vietnam has set up a new poverty line, which is equivalent to the international standard of 2\$ PPP per day per person

The market-oriented reforms during the post Doi moi era in Vietnam have affected gender differentials in terms of access to markets and in conceptions of and relations to authorities. Further, the reforms have had differential effects depending on one's age, residence, access to land and social background. They have more opportunities to have income than before. However, since women participation in the formal economy is low, women are likely to face greater exploitation. Though both men and women are working harder to improve the quality of their lives, women still shoulder the double burden of being responsible for reproductive, production and community work. The increased needs and expectations for children and financial insecurity may be creating new marital and household tensions due to increased demands on women's time and responsibilities (Lynellyn D. Long et al, 2000).

2.4 Health situation

Vietnam has made a good progress in health care, particularly primary health care. Health sector reform launched in 1986 is a key contributing factor to this progress. The average life expectancy is 73.7 years (UNDP, 2008). Infant mortality rate has declined to 18 per thousand live births in 2002 from 30 per thousand live births in 1997. The corresponding numbers for under-five children mortality are 24 and 40 per thousand. However, the underweight and stunting rates among under-five children are still high (28.4 percent and 31.4 percent respectively) (WHO, 2004). Infant Mortality Rate (infant deaths per 1,000 live births) is 18 percent (PRB, 2008). The country has made great success in combating malaria and tuberculosis (TB) for which the mortality rate declined sharply to about 5 percent of the rate in the early 1990s after the country introduced anti-malaria drugs and treatment (WHO, 2004).

However, Vietnam is confronting other emerging health problems. Though most of the communicable diseases are under control, the TB cases are still on the rise, with 57 deaths per day reported in May 2004. The non-communicable diseases become more prevalent. The main causes of mortality now include cardio-vascular diseases, traffic accidents and cancer. New life-threatening diseases including SARS and Avian Flu and HIV/AIDS are emerging. HIV/AIDS have been among the leading causes of mortality in Vietnam. Now the number of people living with HIV is increasing every year. From the UNGASS (2008), as of 31 August 2007, the cumulative number of HIV infected cases was 132,628 HIV infected case; 26,828 cases of AIDS, and 15,007 deaths due to AIDS. HIV/AIDS cases are found in all provinces/ cities. The epidemic is at a concentrated stage, but it is potential for epidemic level since HIV/AIDS is extending from high-risk groups to the general population and affecting many young people. This has drawn concerns from the Vietnamese Government and international organizations (WHO, 2004).

CHAPTER 3. STUDY RATIONALES, OBJECTIVES AND METHODOLOGY

3.1 Background

"Human trafficking is a modern-day slave trade. It violates fundamental human rights and exploits innocent people" as stated by Sheikha Haya Rashed Al Khalifa, President of the UN General Assembly (TIP, 2008)

Human trafficking is a global phenomenon which has been subject to increasing international attention in recent years. The U.S research in 2006 reported that approximately 800,000 people are trafficked across national borders per year excluding millions trafficked within their own country. Out of these, 80 percent of transnational trafficked victims are female and girls (TIP, 2008). Asia constitutes a region often known as a hub of trafficking in persons, especially for the purpose of sexual exploitation. Every year, there are some 225,000 trafficking victims originating from Southeast Asia (SEA) and over 150,000 from South Asia (United Nations, 2008).

Trafficking in persons in SEA is a trans-national issue. Countries in SEA play a role as sending, transit as well as destination countries for trafficking, illegal migration, sale of babies and smuggling (Wahyuningrum, 2004). Women and girls are commonly trafficked to industrialising countries and regions such as Taiwan, Malaysia, Hong Kong and Thailand. Cross-border trafficking commonly takes place in the nations of the Mekong region including Thailand, Burma, Laos, Cambodia, Vietnam and the Southern Yunnan province of China. Vietnamese women are trafficked to China and Cambodia (Miko & Park, 2002).

The number of trafficking victims within and from the SEA region substantially increases due to the growth of sex tourism in the region. Japan is the largest market for Asian women trafficked for sex industry. A half of trafficking victims are the Philippines and 40 percent of them from Thailand. Since 1990, thousands of women and children were sold to Thailand for sex, coming from Burma, Southern China, Laos and Vietnam. In addition, Western Europe, the US, Australia and the Middle East are destinations of trafficking victims from the SEA (Miko & Park, 2002). The main purposes of trafficking in SEA include labour exploitation, sex work and forced marriage (Marshall, 2001; Derks, 2000).

Vietnam is mainly known as a source country of trafficking. Over recent decades, the number of women and children being trafficked is on rise despite efforts for intervention. The trends/ patterns of trafficking in Vietnam has a relation with the global and regional trends such as increasing movement of population, demand for labour, development of crime syndicates. According to the Vietnam Ministry of Public Security, as many as 5,746 trafficked women and children were detected from 1998 to 2006, and about 900 human trafficking cases and 2,200 trafficked women and children from 2005-2007 (MoPS, 2007). The majority of Vietnamese women and children are trafficked for labour exploitation, sex work and forced marriage (Kelly & Le, 1999; Le, 2000). Women are trafficked both within and across the country borders.

3.2 Study Rationale

Trafficking in persons, especially women and children have been given attention from the Vietnamese Government and international organisations. Anti-trafficking and rehabilitation activities for trafficked survivors returning back to country have been given priority and assigned to responsible Government agencies and organisations. These were incorporated in the Decision No.130/2004/QĐ-TTg of Prime Minister on July 14, 2004 regarding the National Action Plan on combating trafficking in women and children 2004-2010 and the Decision No.17/TTg of Prime Minister on Jan 29, 2007 on regulating the reception and reintegration of returned and trafficked women and children. These have paved the way for trafficking prevention initiatives being undertaken by Vietnamese Governmental organisations, International Non-Governmental organisations and UN agencies in the country. To date, most of anti-trafficking programmes in Vietnam are still at the pilot phase. Hence it is challenging to find out the "good practices" to reduce trafficking in persons. Evidence-based and well-designed interventions require an understanding of characteristics of trafficked persons and conditions of vulnerability verified through research to ensure adequate and appropriate prevention of trafficking and assistance to trafficked persons. This proposed study is necessary and vital to inform decision makers, programmers and implementers for further improvements of interventions.

3.3 Study Objectives

The overall objective of this study is to explore vulnerability factors, impact of trafficking on women's health and well-being to propose recommendations for the government agencies' strategies in prevention of trafficking in women and to assist and support trafficked women in their efforts in rehabilitation and reintegration.

3.4 Specific Objectives

In order to achieve the general objective, the study has four specific objectives as followed:

- To understand the situation of trafficking women from and within Vietnam
- To identify the contributing factors to Vietnamese women being trafficked
- To describe the impacts of trafficking on women's health and well-being
- To formulate recommendations to decision makers and programmers at local and national levels for their consideration on prevention of trafficking in women and assistance to the trafficked women.

3.5 Study Questions

- What makes women vulnerable to trafficking?
- What are the health risks and consequences of trafficking?
- What are the realities and difficulties that trafficked women may face when returning to their home country?
- What are the existing responses to trafficking of women in Vietnam?

- To what extent do the existing interventions address the problems of trafficking in women?
- What is needed to build a sustainable and effective programme in order to support women who have become victims of trafficking?

3.6 Study methodology

The study was conducted by literature review. Based on the specific objectives and study questions, published and unpublished study reports were collected from various sources including Vietnamese governmental agencies/organisations, non-governmental organisations and United Nations Agencies. The literature materials were used for this thesis comprising of reports, journals, conference working papers, information guidebooks and electronic newspapers. Both qualitative and quantitative study data were used in the study. The selected study reports were mainly focused on Vietnamese women who were trafficked abroad for different purposes and returned to Vietnam. A few studies in Asia and Europe were utilised to study health consequences of trafficked victims and as main destinations of human trafficking.

3.6.1 Limitations of the study

Given that the study was based on literature review, there are limitations. Firstly, due to sensitivity and complexity of the subject of human trafficking, it was challenging to obtain accurate and reliable public data on trafficking in Vietnam. The studies previously done in Vietnam have limited information on trafficking of women for sexual exploitation, marriage and forced labour. No studies on health and trafficking have been found from Vietnam. Some research reports were empirical, bias of data were unavoidable.

3.6.2 Searching strategy

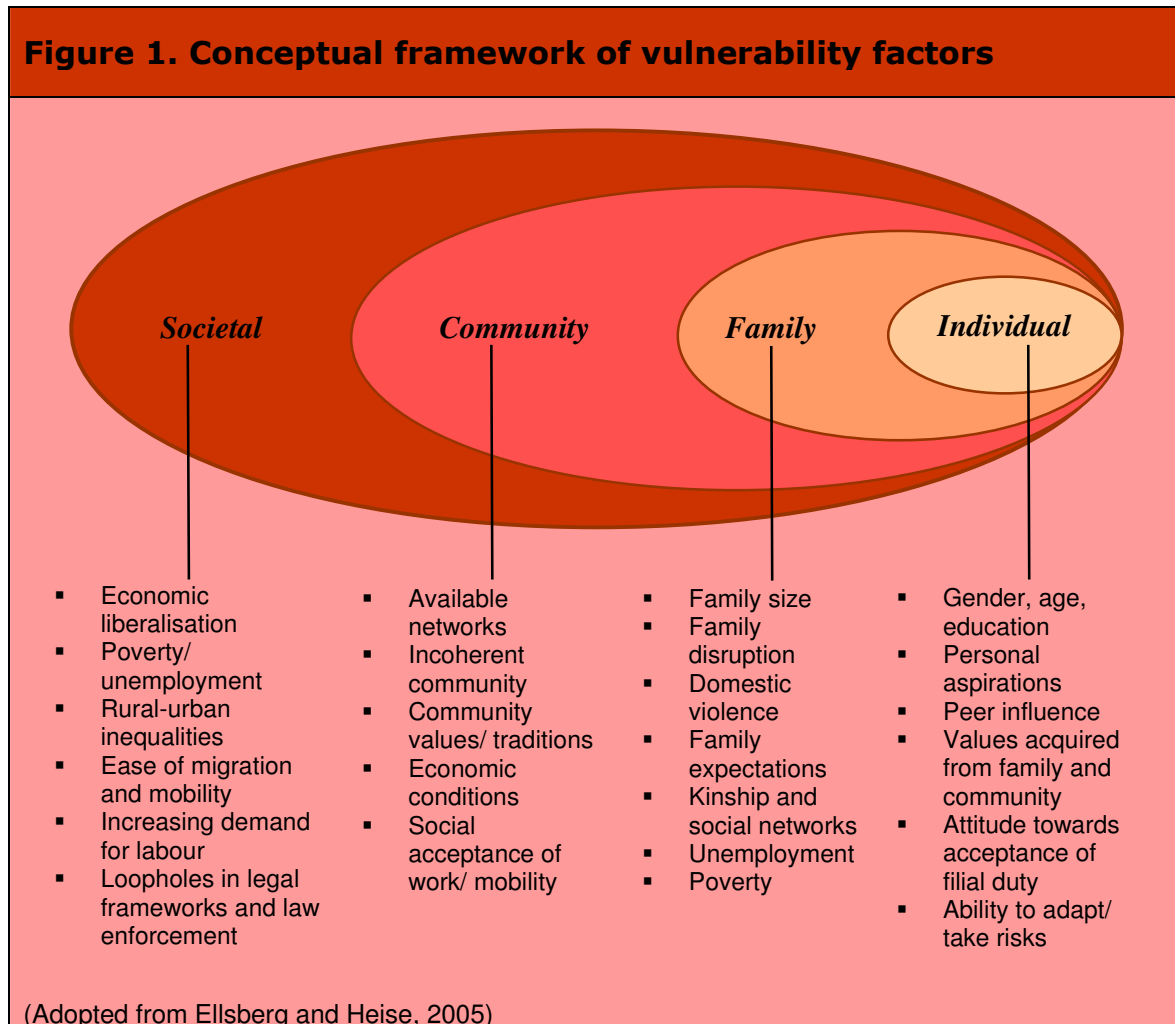
Main searching tools for literature used in the thesis included Google, Pubmed, Sciondirect, KIT library, VU University library were used for searching journals, study reports. Websites were accessed for additional information from Vietnamese Governmental organisations, UN agencies, NGOs such as Vietnamese local e-newspapers, UNDP, World Bank, UNICEF, UNFPA, ILO, IOM, UNOCD, UN.GIFT, U.S Department of State, GAATW, Stop-trafficking. Some materials inaccessible on the websites were collected through friends and colleagues from Vietnam.

3.6.3 Key words

Human trafficking, human smuggling, health, migration, health risks, health consequences, impact, violence, abuse, sexual exploitation, forced labour, brokered marriage, labour migration, Asia, Vietnam.

The following conceptual framework was employed to analyse the vulnerability factors of human trafficking in the thesis. This conceptual framework was adopted from the ecological framework for explanation of gender-based violence

by Ellsberg and Heise (2005). The choice of this framework is based on the fact that human trafficking is a form of a gender-based violence. Moreover, the framework is also useful when developing recommendations for anti-trafficking at the societal, community, family and individual levels. This makes it easier to identify recommendations targeted for each of these levels.



CHAPTER 4. STUDY FINDINGS

This chapter presents four main parts. Definition of trafficking, an overview of trafficking within and from Vietnam is briefly described in section 4.1. Section 4.2 gives an analysis of the vulnerability factors of trafficking. The impact of trafficking on women's health and well-being are addressed in Section 4.3. The final section 4.4 provides a brief on what the Vietnamese government has been done to response to the issue of trafficking in Vietnam.

4.1 Defining trafficking

Trafficking is defined as in the Article 3 of Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as followed:

- a) *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, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs"*
- b) *The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used....*

(United Nations, 2000)

4.2 Perspectives of trafficking

Migration, smuggling and trafficking

Migration is defined as "A process of moving, either across an international border, or within a State..." (IOM, 2004). Migration can be done through regular/ legal or irregular/ illegal channels with consent. *Trafficking* constitutes three fundamental elements including (i) movement of a person; (ii) with means of coercion or deception; (iii) for the purpose of exploitation or forced labour, slavery-like practices. Many people migrate for work but they end up with being trafficked. Or women can migrate for sex work. It is not identified as trafficking. Though trafficking is an element of migration process and has a linkage with migration/ mobility, it should not be equated with irregular migration. It is noted that trafficking can not be eradicated by restrictive migration.

Smuggling is the transport of a person into a country (with consent) through illegal means. Smuggler facilitates illegal movement of people from country to other countries for profit. Smuggled migrants are assisted by smugglers to enter a country by illegal means. He/she may not be coerced or exploited. However, smuggled migrants can be turned into trafficked victims when arriving in the transit or destination country. Due to the confusion between smuggling and

trafficking, it is difficult to identify smuggling and trafficking in transit countries. Therefore, border officials can only recognise a person who enters the country illegally but they can not find out trafficked victims.

Trafficking and sex work

Women and girls are particularly trafficked for the purpose of sexual exploitation (ILO, n.d). But trafficking should not be equated with sexual exploitation as sex work is not the exclusive purpose of trafficking and other forms of forced labour are equally significant (ILO, n.d). This means that neither not all trafficked victims are sex work nor all the sex workers are trafficked. However, it is important to emphasize that trafficking for sex work is the most significant form of trafficking in the present since the situation of women and girls who are trafficked for sexual exploitation are likely to be worse than that of other sex workers because they are handicapped by language, debt bondage and being under control of traffickers (Jeffreys, 2006).

4.3 Trafficking within Vietnam and from Vietnam

4.3.1 Scope of the problem

It is difficult to know about the magnitude of human trafficking within and from Vietnam due to lack of accurate and reliable data and information on trafficking. Until now Vietnam has not had any appropriate methodologies of measurement and monitoring human trafficking. The figures of trafficked women and children are under-reported since the Vietnam's Public Security Ministry merely reported the number of trafficking crimes (cases) detected annually. There are different figures provided from the local authorities and NGOs/ INGOs due to different interpretations of definition of trafficking.

As reported by the Provincial Department of Public Security in Vietnam, 2,269 cases were discovered and 3,787 traffickers were arrested between 1991 and 2001. Of these, 1,818 cases were brought to court with 3,181 offenders of trafficking of in women and 451 other cases with 672 offenders for trafficking in children. The Provincial Department of Public Security reported approximately 10,000 women missing and suspecting being trafficked (Dang et al, 2003). There were approximately 1,758 cases of trafficking or suspected trafficking over a two-year period, between 2002 and 2003. According to the Vietnam's Department of Criminal Police and the Ministry of Public Security reported that nationwide 5,746 cases of international trafficking and 7,940 women and children suspected trafficking between 1998 and 2006. Within the period of two years from 2005 to 2006, 1,518 women and children were trafficked representing 16.4% of the total trafficked victims within nine years (MoPS, 2007).

Nonetheless, despite the limited accurate and reliable data, human trafficking particularly trafficking of women and children in Vietnam is believed to be increasing, widespread and complicated (MoPS, 2007).

4.3.2 Internal trafficking

Within Vietnam, women and children are trafficked from rural to urban areas for labour and sexual exploitation. They are lured, deceived to work as sex workers. Another number of women are recruited to work in different settings ranging from cafés, bars, mini-hotels, restaurants, beer 'om' ("cuddle"), massage parlours to brothels (ICSW, 2007). The places of origin and destination of internal trafficking is widespread, covering most provinces where sex industry or services concentrate. Hanoi, Ho Chi Minh City, Quang Ninh, Khanh Hoa, Ba Ria-Vung Tau, Da Nang, Hai Phong, Hue, Dalat are known as the destinations of internal trafficking (Kelly et Le, 1999). Trafficking for labour exploitation e.g. domestic work, begging has occurred to Vietnamese children and some of them reported being physically and sexually abused by their employers (ICSW, 2007).

4.3.3 International trafficking

Cross-border trafficking has commonly taken place as geographically Vietnam shares long land borders with three countries including China, Cambodia and Laos that become major destinations of trafficked women from Vietnam. These countries are also transit points before women are transferred to the third countries. Currently there are three major flows of international trafficking as summarised in the table below:

Table 1. Summary of international trafficking routes and patterns

Vietnam	Transit points	To	Type of trafficking
Northern and Central Northern regions	Lang Son, Quang Ninh and Lao Cai	China (Yunna and Guangxi) Laos	Forced/ Brokered marriage Sex work Forced labour
Southern region	Chau Doc (An Giang), Tay Ninh	Cambodia	Sex work
Both Northern, Central and Southern regions	Ho Chi Minh City Hanoi	Thailand, South Korea, Malaysia, European countries, the United States, Australia	Sex work Child adoption Forced / brokered marriage

4.3.4 Recruitment process

Trafficking in Vietnam is still small-scale organised and less well-regulated (Derks, 1998 & 2000). However, deceptive recruitment practices are sophisticated targeting both urban and rural women/ girls. The traffickers use several recruitment tactics and involve different actors for different purposes of trafficking. Vietnamese women are recruited for working abroad or marriage with foreigners through brokers who can be individuals, organisations such as travel agencies, job replacement agencies. The deceptive recruitment practices are commonly mentioned from the studies and police reports including "kidnapping", "promise for easy job and high pay", "marriage with wealthy foreigners" (usually Chinese/ Taiwanese, Korean men) (Life-ILO, 2005). Recruiters approach women and their families directly or through others who are friends, relatives, neighbours of the targeted women and families. For instance,

two students approached two school girls in a dormitory in Ha Tay province and become their boyfriends before selling them to China (VWU, 2008).

Regarding recruitment for sex industry, most of recruiters are Vietnamese, male or female and have contract with brothel owners in other countries (Derks, 1998). Brothel owners use women who were formerly trafficked for sex work and become their "employees" of the brothel. These women have connection with their villages and come back home lure young women/ girls who may be their friends, relatives or neighbours. The recruiters usually use the familial networks / relationships to build a feeling of trust, learn about their difficult living conditions or difficult family situations of women/ girls or parents, the good examples of returned people with a lot of money etc (Derks, 2000). The recruiters show their willingness to help women and their families to escape from such situations by offering promises for an easy job with attractive salary so that they can earn money quickly and send it back to their families, become rich (Life-ILO, 2005).

The recruitment process for forced marriage and brokered marriage are facilitated by brokers or matchmakers. For forced marriage, the recruitment process is similar with that for sex work. In this case, women are recruited by broker and trafficked into China. Instead of being sold for sex work, women are forced to be a wife of Chinese/Taiwanese men in rural and remote areas. The later is lightly different. Potential brides are recruited by a matchmaker from rural areas. Most of time, matchmakers approached the families having pretty women, particularly mothers (Do Nhu Tam, 2003). Women are taken to HCMC to stay in rent house arranged by brokers for a few weeks to wait for selection. They are usually given a loan to buy nice clothes, food, cosmetics while living in HCMC and even they would be taken for virginity test (Life-ILO, 2005). The matchmaker takes care of all procedures for migration, marriage, air ticket. All the expenses are reimbursed by their clients who are "foreign husbands". Families of the bride would receive a payment of two to three million VND² for marriage support (ILO-Life, 2006; Do Nhu Tam, 2003).

4.4 Analysis of vulnerability factors of trafficking in women

Various studies found that there is a range of factors that increase the vulnerability of women to trafficking. These factors can be analysed in the analytical framework that is presented and looks at individual, family, community and societal factors influencing trafficking (Figure 1). Please see Page 15 for the framework. However, a single factor does not provide sufficient information to explain why women are trafficked or are at risk of being trafficked but there is an inter-play of factors leading to vulnerability of women to trafficking.

4.4.1 Factors operating at the national and societal level

Two factors related to trafficking are population dynamics and migration. Vietnam is a populous country with a high proportion of populations younger

² Approximately 126.6 – 189.9 US dollars

than 15 years of age (29 percent). This results in a surplus labour in the local labour market and a high rate of under and unemployment among the young population. This forces migration in search of employment opportunities in other countries with labour deficit or where the economies are perceived as better-off (Skeldon, 2001). World Bank research has identified "the bulk of the unemployed are young, urban people with secondary or even tertiary education. Very few of them are unemployed due to job loss or dismissal" (World Bank, 2008).

Population dynamics

In Vietnam, over half of all migrants (52 percent) were under 25 years of age. Migration rates at the age of 20-24 years are the highest of all age groups and more for women than for men (Dang et al, 2003). The migration review said that incomes and employment opportunities are the main reasons for both internal and international migration in Vietnam. The wave of movement and migration in Vietnam continues to be on rise in the near future as long as the population is young, increasingly educated and non-farm economic opportunities are lacking (Nguyen Thanh Phuong et al, 2008).

A study in Quang Ninh province (Vietnam) in 2005 reported that there are two factors contributing to increasing demand for Vietnamese wives in China. The first one is related to demographic factor. One-child policy in China has led to an imbalance in the number of males and females (Le et al, 2005).

Migration is inevitable in the context of globalisation today. Particularly, from Vietnamese government's perspective, international labour migration is encouraged for young people and considered as a solution of poverty reduction, ease of unemployment issues and increase remittances or "hard currency" for the country (Dang, 2007; World Bank, 2008). However, looking at the dimension of migration and trafficking, the increasing movement of people in search for better job opportunities has been accompanied by exploitative and abusive forms of migration (Derks, 2000). The illegality of much of migration makes migrants vulnerable to exploitation or becoming the victims of human trafficking (Mashall, 2001).

Economic factors

Young women from rural areas are trafficked because of high demand for cheap labour in other countries, particularly in informal sectors or services. More 'labour' opportunities have been created in sex work, domestic work, factories/sweatshops etc that are more attractive and lucrative if employing poor women from rural areas. Such high demand of female labour, combined with the need for income from remittances sent by daughters put women at risk of being trafficked and exploited (Rushing, 2006).

Poverty is a root cause of trafficking as frequently mentioned in several study reports on trafficking (Life-ILO, 2005; Rushing, 2006; Life-SC/UK, 2007). In the context of Vietnam, poverty reduction has been given a lot of attention from the

government. The Vietnam Poverty Update Report 2006 shows that the country has made remarkable success in poverty reduction during the period of 1993-2004. The poverty rate has substantially dropped down from 58.1 percent in 1993 to only 16.0 percent in 2004, showing a drop by almost 39 percentage points over the eleven years (VASS, 2006). Poverty has been halved at a much shorter six-year period from 1998 to 2004, to a lower base rate of 37.4 percent (VASS, 2006). However, not everyone has benefited from this due to disparities in wealth with rural residents generally being poor. The rural poverty rate in 2004 was 25 percent (down from a much higher rate of 66 percent in 1993), implying 15 million out of slightly sixty million rural dwellers still live in poverty. Meanwhile, the urban poverty rate is declined to 3.6 percent in 2004 from 25 percent in 1993.

Poor structures and systems to curb organised crime syndicates and networks

Improved political relationships facilitated by ASEAN countries and improved road networks, lead to the opening of borders with neighbouring countries and increased mobility and trade. However, these improvements have also been used by organised crime syndicate groups, organisations to take advantage of heightened demand for cheap labour, and use it for their own gains such as tracking women (Dang, 2003). In addition, new communication technology and increased access to information and education have been used to facilitate the booming of such activities. For instance, traffickers use internet to recruit women for trafficking.

Vietnam has several laws and codes protecting the rights of women and children where the Penal Code is the main legal instrument used to curb trafficking. Nevertheless, there are a few loopholes in the laws on trafficking and enforcement of existing laws remain poor (IOM, 2000; Yi Wang, 2005; U.S.A, Department of State, 2008). Trafficking in persons is not specifically included in the Penal Code. Penalties prescribed for trafficking both for sexual and labour exploitation are sufficiently stringent and those for sexual exploitation are commensurate with those for other grave crimes, such as rape (Yi Wang, 2005; U.S.A, Department of State, 2008). The majority of traffickers are prosecuted under Articles 119, 120, and 275 of the Penal Code, which deal with trafficking for commercial sexual exploitation. The government did not report any prosecutions or convictions for crimes of labour trafficking such as forced labour or debt bondage. There are occasional reports of border guards taking bribes and allow traffickers to operate (U.S.A, Department of State, 2008). For protection of trafficked victims, the government still has no formal system of identifying victims of any type of trafficking (IOM, 2000; Yi Wang, 2005; U.S.A, Department of State, 2008).

The lucrative profits from human trafficking fuel criminal activities

Trafficking in persons is ranked as the third-largest source of profit for organised crime groups, next to drugs and weapon smuggling (United Nations, 2008). According to the U.S Federal Bureau of Investigation, human trafficking

generates and estimated \$9.5 billion in annual revenue (U.S.A, Department of State, 2008). In Vietnam, more and more people are involved in trafficking networks because of attractive income in comparison with their income from a formal job. The study in Vietnam reported that employers of sex workers could earn an equivalent of US \$2,000 a month – staggering profits given that the average per capita income in Vietnam is just US \$300 per year (Le, 2002). “*High Profitability is a reason of increasing the number of crimes involved in trafficking business. For example, trafficker can earn between 7,000 and 9,000 Yuan (equivalent to US\$1,000 to 1,400)*³ from selling a young and good-looking girl with a low investment capital” as cited by the Border Guard Command of Vietnam at a Review Workshop on Anti-trafficking of women and children on 22 December 2008 in HCMC (VnExpress, 2008).

4.4.2 Factors operating at the community level

Community in this context constitutes of households or families and institutions or organisations existing at local and grass-root levels (provincial, district, commune and village). Women are not adequately protected from being trafficked due to lack of cooperation of the community (Kelly and Le, 1999). Incoherent communities appear with weak leadership and ineffective governance of institutions. For instance, female migrants are likely to live with discrimination and marginalisation in their host community. The image of migrants is routinely linked to notions of poverty, disease, criminal activity, social instability, and low morality. In addition, migrants’ limited social support and their elevated susceptibility to diseases and injuries, coupled with legislative and policy environments that fail to acknowledge and protect their health rights, diminish their health status considerably (CARAM Asia, 2005).

Communities have their own communal values, norms and traditions.

These values can become either risky or protective factors in terms of trafficking. As gender roles during Confucian era, women were required to be housewives, and they were not accepted to leave home for work. In this context, this practice would reduce the risk of trafficking of women (Kelly and Le 1999). Nowadays it is widely accepted in the community that young women should earn an income to support their family through migration for work. A young woman has a sense of duty to respect her parents’ wishes and to help the family (Rushing, 2006). Thus the growing family dependence on women to migrate into labour force, and for them to provide an income, plus the economic boom in larger cities, are both push and pull factors that promote the migration of young women and expose them to the risk of being trafficked and sexually exploited (Rushing, 2006).

³ 01 Chinese Yuan is equivalent to \$US 0,145

4.4.3 Factors operating at the family level

Poverty and unemployment

The rapid development in economic transition in Vietnam has benefited a large number of people through offering them new opportunities for improving their livelihoods. However, the increasing poverty in some areas, the widening gap between the rich and the poor, between the rural and urban areas and among the regions, marginalisation of a part of population have created new pressures on Vietnamese families. These pressures can be translated into the rising real and perceived needs for 'economic survival' and 'improving the livelihoods' that facilitated migration and mobility of the population, especially young people from rural to urban areas. Consequently, much of migration for work has put them at risk of being trafficked (Kelly et Le, 1999; Vu Ngoc Binh, 2000). The weakening of the social welfare and traditional safety nets, the burden on families, especially women has become heavier. The poorest families are the first to be hit by the negative impact (Vu Ngoc Binh, 2000).

While the perceptions and practices of family are predisposed by the above communal and societal changes the families in Vietnam still reserve a certain degree of independence from outside (legal and political) institutions and behave according to their knowledge, values, available resources and the opportunities presented (Le, 2002). The families play important role in decision making and choices in the ways to overcome poverty or to improve their livelihood in a new context (Rushing, 2006).

The assessment of ILO found that apparently most parents/ families said that they do not support for their daughters to migrate for work or marry foreigner because they concern about their safety. However, they usually make an excuse that it is normal for their daughters working to support the family to escape from poverty. This makes women feel that they are responsible for helping their families. These reasons are commonly given by many women and parents interviewed from the ILO assessment in the Mekong Delta provinces in Vietnam (Life-Cacioppo, 2006). The perceptions of families on higher profits or more remittances from daughters put women at risk of being trafficked and exploited (Rushing, 2006).

Some families are more at risk of being involved in the trafficking system than others. The families identified as high risk are those who have no jobs among the family members; have strong bonds (traditional values), lack of financial capital; poor and have sick, old or alcoholic, gambling members living with; frequent cross-border travelling, working at entertainment facilities near the border; families having relatives in Laos, Cambodia, China. "High-risk" families include those who have migratory history; families excluded and marginalised from the process of economic reform and who are not reached by the government economic and social programmes (Kelly & Le, 1999; Le, 2002).

Additionally, *family disruption* is a 'push factor' of migration/ trafficking. While women may be put at risk of being exploited and abused during their migratory

journey, they still opt to migrate to escape from negative conditions of their families such as experience from sexual abuse, domestic violence, dysfunctional family situation and poor economic conditions.

The history of violence and abuse occurring in country of origin is commonly considered as a driving force to push women into the hands of traffickers. Women who come from poor, dysfunctional or abusive families are likely to accept the offers from traffickers. Women decide to leave their home to escape from violence and migrate for work to send remittances to their families. They are likely to be at risk of being deceived, lured and trafficked in migratory journey. The study also suggests that the groups most at risk of being trafficked are women and girls with the history of trauma and violence (Kelly & Le, 1999; Zimmerman et al, 2003).

4.4.4 Factors operating at individual level

Gender discrimination

Women are vulnerable to trafficking because of "*being a woman*". Regarding to marriage, daughters are expected from their parents to get married with wealthy man. Such expectation has put a greater pressure on young to respect her parents' wishes and to help the family. Most of migrant women end up being trafficked because of fulfilling their expected gender roles in their family by having cross-border marriage and facing risks while living in a foreign country (Life-Cacioppo, 2006; Do et al, 2005).

Women nowadays play a main role for household income and household budget management. Lack of job possibilities women have to migrate for employment opportunities abroad or in urban areas with a desire to improve livelihoods of their families. In this situation, women have to accept easily the 'offers' from traffickers such as "high-pay jobs" or "mail-order brides". "Most of trafficked women have worked to support their families before. However, due to low education level and lack of reliable jobs, their income is insufficient to support the families. The level of contribution from women to the household's economy is expected higher than from men as women have less expense. Women therefore are expected to be responsible for household budget management" (Life-Cacioppo, 2006).

Low economic status

It is obvious that all the societal, community, family factors, as presented above, have impacted upon Vietnamese women at an individual level with regards to migration. *Young women are vulnerable to trafficking due to low economic status*. Various studies on trafficking in Vietnam confirmed that trafficked women have *economic difficulties*. Most of them are poor and unemployed or under-employed. If they worked, those women were working in farming activities, petty trading, and hired labour. Their current jobs most of the times do not provide sufficient incomes for survival of their family (Life-Cacioppo, 2006; Le et al., 2005). It can be translated that the expectations/

needs for employment and income generation from women are high and thus, make them vulnerable to being lured, deceived and trafficked (Life-Cacioppo, 2006; Le et al., 2005). The main reason of trafficking for forced marriage or cross-border marriages is a desire for *economic security*, as cited in various studies on cross-border marriages from Vietnam to China (Do et al., 2003; Le et al 2005; Action Aid in Vietnam, 2005).

"Easy job but high pay" and peer influence

Most of the studies show that women are convinced by the 'false' promises of traffickers for "easy jobs and high pay" but they end up sex work. Many young women become victims of trafficking because they are told and persuaded by their peers/ friends who are returned migrants or former victims of trafficking who motivate with expectation to live in big city and be "trendy", so they need to earn money by any means (Life-Cacioppo, 2006).

Lack of education opportunities and lack of access to information

Vietnamese women have fewer opportunities for higher education. In the family, woman is the first person to drop out school when their family fall into difficult economic situation (Life-Cacioppo, 2006; Le et al, 2005). Low level of education is not only related to the attainment of formal education but also the levels of access to information, awareness/ understanding of trafficking risks, deception of traffickers and life skills to cope with high-risk situations. During migration process, migrant women easily become a victim of being exploited and sexually abused as they have low ability/ skills to adapt or respond to risks and violence but they have high level of endurance of suffering and labour and tend to accept their fate and adverse circumstances (Life-Cacioppo, 2006).

Social exclusion and marginalisation would increase the vulnerability of trafficking in women because of lack of access to resources. A study from the Action Aid (INGO) indicates that not all of under-educated women are trafficked or at risk of trafficking, but trafficking happens when their choice to improve livelihoods and desire to improve their family's lives is combined with the lack of accessible to Governmental or private interventions to afford them a safe means of migration. This deficiency then combines with the presence of large or small trafficking or smuggling networks that facilitate migrations through other means (Action Aid Vietnam, 2005).

4.5 Impact of trafficking on women's health and well-being

Trafficking is a clear health threat for women (Beyrer, 2004). Trafficked women suffer unspeakable acts of abuse, exploitation and degradation. The damage to women's health and well-being is often profound and enduring (Zimmerman *et al*, 2006). This section will present the evidence from various studies on the health risks and consequences of trafficked women in different aspects during the trafficking situation.

4.5.1 Physical health

Trafficked women endure different forms of physical violence and abuse on the journey and in the country of destination. Majority of women reported being confined, raped or beaten once or several times during the journey before starting to work. They were abused after having been told of their future work in sex and having refused. They also suffer from abuse in their work. They have been hit, kicked, punched, struck with objects, burned, cut with knives and raped. Such forms of punishment include deprivation of food and isolation. The female victims of trafficking are vulnerable to abuse by any individual along the route, including trafficking agents, escorts, drivers, border officials and anyone else who may be involved in her transport. Physical injury, chronic somatic health consequences and long-term health morbidity have been reported by 57 percent of the studied participants in Europe (Zimmerman et al, 2008).

The majority of injuries and illnesses reported by trafficked women were a result of physical abuse. Headaches, pains associated with violence and poor living and working conditions, poor hygiene, and lack of food and nutrition (Zimmerman et al, 2003).

4.5.2 Sexual and reproductive health

Sexual abuse and violence commonly occur to most of trafficked women. A study in Europe reveals that 95 percent of studied women reported being physically assaulted or coerced into sexual act in the trafficking setting (Zimmerman et al, 2006). The respondents from this study reported suffering different forms of sexual violence and abuse including vaginal rape, forced anal or oral sex, forced unprotected sex, gang rape etc. The perpetrators of sexual abuse are traffickers, acquaintances of traffickers and pimps and clients (Zimmerman et al, 2006). Most of Vietnamese trafficked into Cambodia for sex experienced forced sex by the clients (Action Aid Vietnam, 2005). Women who are trafficked for servile marriage are subject to being raped, beaten or murdered (Wijers & Lap-Chew, 1997 cited in Do Nhu Tam, 2005).

Trafficked women are inevitably vulnerable to the risks of Reproductive Tract Infections (RTIs), Sexual Transmitted infections (STIs) and HIV/AIDS. A study on Vietnamese women trafficked to Cambodia found that 13 out of 18 trafficked sex workers had health problems related to vaginal wall, uterus (Action Aid Vietnam, 2005). Out of all the health problems, gynaecological complications were the most common among the trafficked women. A study found that more than 60 percent of respondents reported having pelvic pain, vaginal discharge and gynaecological infection (Zimmerman et al, 2006).

In addition, rape, repetitive sexual abuse and coerced sexual risk-taking that can result in tearing of the vaginal tract and genitals, STIs and unwanted pregnancy. Sexual abuse and rape are linked to other health problems such as allergies, skin disorders, tension headaches, nausea, irritable bowel syndrome, chronic pelvic pain, dysmenorrhoea, depression and poor overall individual health (Zimmerman et al, 2006). Women who are trafficked have limited

opportunities to have proper diagnosis and treatment for STIs. Untreated STIs, in a long term, can result in pelvic inflammatory disease, lasting damage to the reproductive tract, kidney and bladder, infertility, miscarriage, infant morbidity and mortality, and cervical cancer.

There are no studies available to tell about the prevalence of HIV infection among Vietnamese trafficked women. According to a recent country report on HIV/AIDS in Vietnam, the average prevalence rate among female sex workers nationwide is 4.4 percent, and differs across the country (e.g. in city of Can Tho, the prevalence rate was 33.86 percent in 2006, while in the capital Ha Noi was 14.25 percent) (UNGASS, 2008). The studies in Nepal indicated the evidence of high prevalence rate of HIV and STIs infections among trafficking survivors. The study found that among 278 repatriated Nepalese sex-trafficked girls and women, 109 (38 percent) tested positive for HIV with increased risk among those trafficked prior to 15 years of age (Silverman *et al*, 2007). Another study in Nepal also indicated that there is co-infection of syphilis and hepatitis B among infected se-trafficked women and girls. HIV infected sex trafficking victims are more likely to be infected with other STIs, specifically syphilis and hepatitis B than those not infected with HIV (Silverman *et al*, 2008).

Furthermore, trafficked women are not able to control even the most basic aspects of their lives, least of all to negotiate safe sexual relations (Simkhada, 2002). From the study on *Living the Reality of Forced Sex Work: Perspectives from Young Migrant Women Sex Workers in Northern Vietnam*, a majority of young women reported having no choice in their initiation into the first sexual intercourse and sex work (Rushing *et al*, 2005). They are not permitted to use a condom for the first sex experience. They generally had been "bought" for their virginity so the client was not at risk of infection (Rushing *et al*, 2005; PHR, 2003). Previous studies found that trafficked women in brothel are most likely to become infected with HIV during the first six months of work as they probably have *the least* bargaining power and therefore have more customers and fewer customers who use condoms (Kilmarx *et al.*, 1998). Trafficked women reported not using condom with intimate partners/ boyfriends, or pimps or clients (Do Nhu Tam *et al*, 2003).

Moreover, young trafficked girls whose bodies are physically immature can not avoid having injuries and abrasions from sexual contacts that significantly heighten the risk of HIV transmission (PHR, 2003). Young trafficked women are even less likely to be able to negotiate with their partners than older women, since they also face unequal power relations between younger and older people (P.Simkhada, 2002).

Additionally, trafficked women/ girls are likely to have little opportunities to benefit from local interventions/ programmes e.g. health promotion due to their situation of forced labour, debt bondage coupled with language barriers (P.Simkhada, 2002; Tep, S.Ek & M.Maas, 2001). Furthermore they are usually classified as illegal immigrants in their destination country and are further marginalized. They can not seek help as they do have any access to social networks, services and their families/ relatives. If they seek help, they may be

subject to prosecution for the crime of illegal immigration rather than assisted as a victim of trafficking. As migrants, language barrier and displacement from family and community support system increase vulnerability and subsequent risk of HIV infection among female trafficked victims (Simkhada, 2002; M.Tep et al, 2001).

Unwanted pregnancy and unsafe abortion

During the situation of trafficking, female victim of trafficking do not only suffer illnesses, but also have to face unintended pregnancy issue as resulted from being raped, having unprotected and forced sex with intimate partners/ pimps, traffickers. As reported in the study on health risks and consequences of trafficked victims, out of 22 respondents, 6 women reported having at least one unintended pregnancy in the destination country (Zimmerman et al, 2006). Abortion is an option chosen by majority of women once they are pregnant or forced to have abortion by brothel owners. Those who are trafficked to China reported having been forced to have abortion if they have the second child or they are sterilised without consent (Le et al, 2005; Life-ILO, 2005). Women are likely to visit illegal and unsafe services as they know little about termination of pregnancy services, not affordable or lack of freedom. Though women have legal or illegal termination of pregnancy, most of them suffered complications from using unsafe abortion services, long-term gestation. Trafficked women are particularly vulnerable to post-abortion complications such as incomplete abortion, sepsis, haemorrhage and intra-abdominal injury. Complications from unsafe abortions reportedly account for most maternal deaths.

Women trafficked for forced marriage in China said *"When I was pregnant I had to move to live in a small cottage in the mountain because I was afraid of being arrested by police. My husband gave me food everyday. I gave birth in a commune health station. I had caesarean section. But after sewing, I told that I did not have money, and then they opened it and let me to go home without sewing... I thought that I would be dead because of that..."* as cited from a survey report by Vietnamese Women's Union in 2007.

4.5.3 Mental health

Physical and sexual abuse, social restriction and marginalization combined with psychological abuse destroy women's mental and physical defences (Gajic-Veljanoski & Stewart, 2007). The perpetrators of trafficking use a range of psychological control tactics to manipulate the trafficked women and hold them hostage (Zimmerman et al, 2006). Traffickers usually control women by threatening them to be resold or re-trafficked with acquiring a new debt, a longer period of repayment, the potential for a worse situation and so on (Zimmerman et al, 2006). Tactics are employed to destabilise the victims and create extreme uncertainty about the future (Zimmerman et al, 2006).

Anxiety, depression, hostility and Post-Traumatic Stress Disorder (PTSD) are common mental health symptoms of trafficked women. Most victims of trafficking reported that they endure a range of mental health symptoms

including exhaustion, stress, anxiety, chronic headaches, migraine-like symptoms i.e. nausea and vomiting when headaches were severe. The study to assess psychological reactions of trafficking survivors on four identified symptoms that are anxiety, depression, hostility and post-traumatic stress disorder (PTSD) suggested that symptoms association with depression were most reported, with 39 percent of participants having had suicidal thoughts within the past 7 days. More than half of studied women and adolescents (57 percent) scored at or above 2.5 cut-off point in the post-trauma symptom subsets of the Harvard Trauma questionnaire (Zimmerman *et al*, 2008).

A study on mental health of trafficking survivors in Nepal revealed that there was a high rate of anxiety and depression in both groups of female trafficking survivors, while the sex workers group showed worse status than did the non-sex worker group (domestic workers). The sex worker group tend to have more anxiety symptoms (97.7 percent) than the non-sex worker group (87.5 percent). Regarding to PTSD, the sex worker groups had higher rates of PTSD than non-sex worker group (Tsutsumi *et al*, 2008). According to Farley, 68 percent of women trafficked into sex work met criteria for PTSD. Severity of PTSD symptoms was strongly associated with the number of different types of lifetime sexual and physical violence (Farley *et al*, 2003).

4.5.4 Access to health care

Lack of access to health care and social supports due to different barriers will exacerbate the risk of developing health problems, particularly sexual and reproductive health problems and the spread of STIs/RTIs and HIV/AIDS (Beyrer, 2001; Zimmerman *et al*, 2003). The study of trafficking victims found that most of trafficked victims knew little where to get health information as well as health care services for health check up and treatment as they are alienated or not familiar with the system and location (Gushulak & MacPherson, 2000). Those who knew where to go for treatment still have difficult to seek care due to the little freedom of movement, no money and limited language skills (Zimmerman *et al*, 2003). Additionally, on the arrival at the destination, due to the precarious financial and legal status, trafficked women can not afford for health costs. Trafficked migrants are often frightened of interacting with official systems out of fear of being reported to immigration or labour officials (Gushulak & MacPherson, 2000; Beyrer, 2001; Gushulak & MacPherson, 2000).

4.5.5 Impact of trafficking on social and economic well-being

Apart from isolation given by traffickers, female trafficking victims have similar vulnerabilities with immigrants such as illegal status and social exclusion in the country of destination such as fear of being arrested by police due to illegal status, alienation, culture shock, discrimination from community, depression and so on. These issues have negative impacts on women's physical and mental health. Trafficked women face different levels of vulnerability depending on the patterns of trafficking (Zimmerman *et al*, 2003).

Women being trafficked for marriage are subject to domestic violence and discrimination from in-law families. Various studies reported that the Vietnamese brides usually live with their in-law family. Although being a wife, they are severely discriminated and maltreated by husband and mother-in-law. They are generally isolated by in-law family. They are not allowed by the parents in-law to have children or not allowed to bring their children with them if they return to Vietnam (Do Nhu Tam et al, 2003; Life-ILO, 2005; Action Aid Vietnam, 2005; Le et al, 2005). While some Vietnamese brides are forced to work as hired labour to pay back the marriage costs to the husband family, some others are not allowed to find a job for earnings as they are expected to be dependant on the in-law family (Do Nhu Tam et al, 2003; Life-ILO, 2005).

Economic abuse or deprivation used by traffickers to keep women under control is recognised as an element of violence against women that affects women's health and well-being (Zimmerman et al, 2003). Debt-bondage is a form of exploitation that can retain a woman in service of debt and have little chance to escape from this situation. For instance, Vietnamese women trafficked for working in massage parlour, coffee shops, or hair salons usually have to work 12-14 hours a day. Apart from the house chores such as cleaning the house and furniture, they have to greet, serve drinks, converse to entertain, and have sex with clients upon request (Life-ILO, 2005). Trafficked women for sex work in China reported serving at least 5 clients per day whereas others said 10-15 clients per day (Le et al, 2005).

The earnings of trafficked women can be different, depending on the jobs that women are asked to do. The average income of a sex worker in Cambodia is approximately 10,000-30,000 riel per day (equivalent to US\$2.50-7.50). Younger girls can reportedly get more money while virgins fetch a high price. Sex with a virgin for one week can cost around US\$200. Trafficked women working in massage parlours and beer gardens in Siem Reap earn US\$3-8 per day (\$3 for massage and \$8 for having sex with client). All of trafficked women in Cambodia reported that they are in debt to brothel. They can not leave until they fulfil the financial obligations from their earnings (Derks, 1998; Action Aid Vietnam, 2005).

4.5.6 Reintegration

Reintegration process is a time of physical recovery and psychological and social reorientation. Women reconstruct their lives and relationships, for better or worse, based on assumptions, emotions and contexts that now exist for them (Zimmerman et al, 2003). Generally, the reintegration process is not easy for most trafficked women. They have many difficulties in coping with physical and psychological aftermaths of trafficking experiences once they return home.

Escape and return to Vietnam

There are efforts from the Vietnamese Government in assisting the victims of trafficking to return home through developing and signing the Memorandum of Understanding (MOUs) between Vietnam and Cambodia/ China to address the

issue of trafficking in women and children, including: the Vietnam-Cambodia Bilateral Agreement on Elimination of Trafficking in women and children and on Victim assistance; and the MOU on Cooperation in Combating crimes. However, more than half of the reported trafficking victims have escaped and managed the escape by themselves as reported by the Administration Office of Public Security (Le et al, 2005; VWU, 2007; Life-ILO, 2005). They returned with assistance of relatives, people who met accidentally or other local people. Sex-trafficking workers in the brothel sometimes sought help from kind clients (Le et al, 2005, Life-ILO, 2005).

It is easier for those married to foreigners to return home. During the first 06 months, they usually were allowed to make a home visit. They would decide not to go back (Life-ILO, 2005). Most returnees were faced with problems such as not having money to make phone call or pay for transportation or did not know the way home, loss of personal documents etc. Those who could not escape had to become sex workers (Le et al, 2005; VWU, 2007; Life-ILO, 2005).

Unwilling to return

Escape from trafficking settings to return home is a desire of most women. However, in reality, many of them are reluctant to return to Vietnam for different reasons. Trafficked women consider it as a good opportunity for them to make money and gain some skills so that they can have means for survival when coming back home (Derks 1998; Action Aid Vietnam, 2005). The study reports in Vietnam confirm that "return home with empty-hands" is a shame for them and family and they are welcomed by community people (Action Aid Vietnam, 2005; Le et al, 2005).

Difficulties of trafficked women to reintegration

The health related risks of the reintegration period are likely to be exacerbated by health problems developed during the other stages of the trafficking process (Zimmerman et al, 2003).

The first difficulty of returned trafficking women is related to *economic hardship*. Most of the trafficked women come from poor families. After trafficking experience they return home without money. Moreover, they have no land at home for farming activities. Due to lack of employment opportunities and no income, the victims of trafficking have a feeling that they become a burden and dependence of their family. When they are sick, they can not afford for health costs if they have health problems (Le et al, 2005; VWU, 2007).

The second problem of returnees is *illegal residence status* in their native community. Most returned trafficking women lost their identification papers during the trafficking journey. Due to absence from home for a long time, their household certificate has been cancelled by the local authorities. Household registration is time-consuming and requires complicated procedures/ process. Those who already have children in foreign country have difficulty in registration of birth certificate for the child. Failure to obtaining birth certificate delays the

schooling enrolment for their child. Importantly, loss of legal documents hinders their job application and access to welfare services and entitlements (Le et al, 2005; VWU, 2007).

The third issue that returnees confront is *social exclusion* in the place of origin. Most returned women of trafficking perceive losing significant social and economic status. Returnees feel ashamed of their own situation, particularly, those trafficked into sex work. They also feel ashamed and guilty that they could not succeed in helping their family. Some returnees reported facing rumours, stigma and discrimination from community if they got to know about what they do in China as sex work. They cited that the neighbours talk bad behind them “they gossip behind our back” and think that they deserve such a punishment (Le et al, 2005; Life-ILO, 2005; VWU, 2007).

4.6 National responses to trafficking

The policies and resolutions developed by the Government of Vietnam to call for national and international organisations’ cross-border cooperation and actions to prevent and combat trafficking in persons have proven the Vietnamese government’s recognition of the growing problem of trafficking in human beings, particularly in women and children, and of the need to promptly tackle this problem.

4.6.1 Legal frameworks and policies regarding anti-trafficking

Internationally, the Convention on Elimination of All Forms of Discrimination against Women (1979) was ratified on 17/02/1982. Vietnam has signed but not yet ratified the United Nations Convention against Transnational Organized Crime. Vietnam also has not yet signed either of the supplemental protocols against trafficking in persons or smuggling of migrants.

Regionally, Vietnam entered a membership of Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) with participation of six nations⁴ initiated to encourage the cooperation and collaboration of the nations to combat trafficking in men, women and children for all purposes. This initiative is supported by UN agencies, international development agencies, and international and national NGO partners. On March 2005 a Sub-regional Plan of Action was signed by the six governments. The plan is to define trafficking based on the UN Protocol on Trafficking in Persons and employs a “victim-centred” approach that considers trafficking as a violation of human rights, and highlights migration policy and labour laws and encourages the six governments to build on and complement their neighbours’ policies (Yi Wang, 2005).

In addition, Vietnam joined with other ten ASEAN nations (Association of the Southeast Asian Nations)⁵ in the ASEAN Declaration against Trafficking in Persons, particularly Women and Children pledged in November 2004. The plan

⁴ Myanmar, Thailand, Cambodia, Vietnam, Lao PDR and China

⁵ ASEAN countries comprise of Brunei, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam

provided for cooperation, information sharing, and increased security measures among the ten nations on the broad subject of organised crime, with a particular emphasis on the trafficking of women and children and was based on the United Nations Convention against Transnational Organised Crime and the UN trafficking Protocol. The agreement calls for a regional focus network, anti-fraud provisions for travel documents, regular regional seminars, cooperation between immigration and law enforcement officials of all countries, treatment of trafficking victims (Yi Wang, 2005)

Vietnam has also engaged in bilateral agreements with neighbouring countries for cooperation in combating trafficking, In July 2005, the Royal Government of Cambodia and the Government of Vietnam signed an agreement on bilateral cooperation to assist women and children who have been trafficked and work to eliminate trafficking in women and children. Cambodia's Ministry of Women's Affairs and Vietnam's Ministry of Public Security are appointed to implement the agreement. In May 2006, the Government of Viet Nam and the People's Republic of China signed an agreement on bilateral cooperation to combat cross-border crime between the two countries (Yi Wang, 2005).

The Penal code is the main legal instrument in which the punishment set for trafficking is 20 years in prison as referred to article 115, 119, 120 and 149. The Penal Code refers to the prohibition of sexual exploitation of children and the prevention and punishment of sex work and also penalises anyone who forces another person to enter into marriage against his or her will and anyone who arranges an early marriage, that is, the marriage of a person who is not of legal age. In addition, Laws on Marriage and Family (2000) forbids forcing marriage, hindering voluntary and progressive marriage, feigning marriage (Art.4). The Prime Minister Direction No.766/TTg dated 17/09/1997 aims to divide the duties and functions of ministries, agencies and local authorities to implement preventive measures to combating trafficking in women and children and to call for multi-sector action approach towards the trafficking of women and children. In July, 2004, the Prime Minister issued Decision 130/2004/QD-TTg regarding approval of Vietnam's National Plan of Action (NPA) Against Crime of Trafficking in Women and Children for the period of 2004-2010 (Please refer to Appendix 2 for the NPA document). The four key strategies of the NPA include (1) Awareness raising and educating within communities targeted at potential victims to prevent trafficking; (2) Prosecuting traffickers; (3) Repatriating, rehabilitating and supporting the victims of trafficking; (4) Developing and finalising legal frameworks to prevent and combat trafficking (Please refer to Appendix 2 for the NPA).

4.6.2 Programme responses

In line with the national policies, a range of measures have been initiated by the Vietnamese government agencies and relevant organisations to prevent trafficking, rehabilitation and reintegration.

4.6.2.1 Prevention

Awareness raising and information campaigns have been conducted in line with Component One of the NPA, VWU works in partnership with provincial Women's Union to carry out communication and education programmes in all provinces of Vietnam. Communication channels are mainly mass media e.g. via TV, newspapers, radio etc. The education campaigns are also conducted in schools to raise awareness on the risks of human trafficking and related issues among teachers, students and parents in rural areas.

Vocational training programmes and income generation activities have been adopted by the Vietnamese government with the aim to create employment opportunities, increase income to improve the livelihoods of the poor population, ultimately, to reduce the risks of trafficking in women and children. Poor people are supported with training fees to attend the vocational training skills courses at local settings, and supported with job placements. Poor families are provided with loans from micro-credit programmes under the National Poverty Reduction Programme.

Institutional measures to prevent and combat crimes in general and trafficking in women and children in particular have been improved. A National Programme on Prevention of Sex Work has been established to crack down sex work through raids of brothels, karaoke bars and discos (Yi Wang, 2005). The effectiveness and usefulness of such a method is, however questioned (IOM, 2000). International supported programmes have also been executed in addition to government programmes. Several UN agencies and INGOs including UNDP, UNICEF, ILO, IOM, Oxfam, Save the Children, Action Aid, and World Vision have worked in partnership with Vietnam partners in several projects in high risk provinces (IOM, 2000, Yi Wang, 2005).

4.6.2.2 Repatriation and reintegration

Repatriation and reintegration programmes are implemented in line with the Decision 17/2007-QĐ-TTg and bilateral agreements between Vietnam and neighbouring countries of Cambodia, China. The IOM office reported that between 15 May 1999 and 31 March 2005, a total of 47 Vietnamese victims of trafficking were returned from Cambodia and in May 2005, nine more were waiting for repatriation. Since 2007, a repatriation process has been adopted in accordance with the Decision as mentioned above. However, the MoPS reported that Vietnamese police has had a lot of difficulty and confusion in identification of trafficked victims and illegal migrants because there are no common guidelines/ process between two neighbouring countries.

CHAPTER 5. DISCUSSION

This chapter is for discussion on the study results presented in chapter 5.

Measuring the number of trafficked persons is a challenge for most of the countries in the world due to the complex nature of the problem. Though, the term "trafficking" is defined in the UN protocol 2000 as mentioned earlier, there are still some confusion in understanding and interpretation among countries and organisations around the world. The Vietnamese authorities and NGOs have adopted the definition from the UN protocol. However, there is a lack of clarity on the definition of trafficking and lack of common understanding from the national and local authorities which lead to difficulty in identification of trafficked victims.

Coordination among vertical agencies and/or inter-agency and/or among communities, families and individuals in prevention of trafficking in women and children is limited especially at local levels. Institutional structures and resources have not been adequate to respond to counter-trafficking of women and children in the current situation (Yi Wang, 2005; Life-ILO, 2005).

Poor data collection procedures and management system has lead to poor statistics on trafficking. The effectiveness of the prevention efforts is not easy to measure as there is absence of good monitoring systems with measurable indicators. And often preventive activities are overlapped and are fragmented.

There are pitfalls from the legal frameworks and policies regarding anti-trafficking. Vietnam has no specific laws of anti-trafficking. The approach of anti-trafficking focuses almost exclusively on sex work and forced marriage of women and children. In fact, trafficking affects particularly women and girls but trafficking in men should not be neglected. Men are also trafficked for forced labour though no studies have been done about this subject (Yi Wang, 2005).

Vietnam has several laws and codes protecting the rights of women and children where the Penal Code is the main legal instrument used to curb trafficking. Nevertheless, there are a few loopholes in the laws on trafficking and enforcement of existing laws remain poor (IOM, 2000; TIP, 2008). Trafficking in persons is not specifically included in the Penal Code. Penalties prescribed for trafficking both for sexual and labour exploitation are sufficiently stringent and those for sexual exploitation are commensurate with those for other grave crimes, such as rape (TIP, 2008). The majority of traffickers are prosecuted under Articles 119, 120, and 275 of the Penal Code, which deal with trafficking for commercial sexual exploitation. Yet the government did not report any prosecutions or convictions for crimes of labour trafficking such as forced labour or debt bondage. There are occasional reports of border guards taking bribes and allow traffickers to operate (TIP, 2008). For protection of trafficked victims, the government still has no formal system of identifying victims of any type of trafficking (IOM, 2000; Yi Wang, 2005; TIP, 2008).

There is no differentiation between smuggling and trafficking and other kinds of illegal migration. Undocumented migrants and trafficked persons are treated in the same way in order to discourage undocumented migration in the future (Yi Wang, 2005).

There are shortfalls of the NPA that is being supported by government agencies. The programme favours a crime-control approach rather than a right-based approach (Yi Wang, 2005). Therefore the approach criminalises trafficked victims rather than considering them as victims in need of protection.

Most of women often migrate through informal channels, such as their friends, relatives, migrant returnees who might be traffickers which they have never known. Moreover they are excluded from participation in pre-departure training that are organised by formal recruitment agencies. Traffickers usually exploit the limited knowledge and information of the potential migrants. Potential migrant women can easily be deceived or lured by false information to facilitate illegal migration and they end up being trafficked.

When Vietnamese victims of trafficking are identified in Cambodia, family tracing and assessment prior to return is generally viewed as slow and as violating confidentiality. Elaborate formal handover ceremonies at the border attract unwanted attention to the returnees and may increase stigma. Most of trafficked women escape and return home on their own.

The victims and their families are reluctant to report their trafficking situation to local authorities about their status due to different reasons. Therefore, Vietnamese trafficked women are still unidentified in foreign countries without access to any assistance and support. Identification of trafficked victims and providing them assistance is an urgent need.

A country analysis conducted by Hugué & Ramangkura (2007) showed that there are several issues regarding repatriation and reintegration of trafficked victims in Vietnam. The formal structures and mechanisms of reception, repatriation and reintegration are complicated and time-consuming. Separate mechanisms are not in place for victims of trafficking and irregular migrants. As a result, victims of trafficking are returned from China as part of general deportations, with no clear distinctions between victims of trafficking, illegal migrants and traffickers.

The availability and quality of psycho-social counselling for returned trafficking victims varies. Some returnees receive no counselling. Although food and medical care are provided, access to a specially trained social worker is not available on a 24-hour basis. Returned victims of trafficking often face difficulty in replacing their lost household registration and in obtaining birth registration for children with a foreign father. Returned victims of trafficking often face difficulty in replacing their lost household registration and in obtaining birth registration for children with a foreign father. Long-term monitoring and support for returnees is weak (Hugué & Ramangkura, 2007).

CHAPTER 6. CONCLUSION

To include, trafficking in persons is a global phenomenon with a growing concern. Millions of women have been trafficked around the world. In Vietnam, trafficking of women has been emerged in two recent decades. Like other Asian countries, crime organisations/syndicates of trafficking are still small-scaled and unregulated. However, some thousands of women have become victims of trafficking for the purposes of forced labour, sex industry and forced/ brokered marriage throughout the countries.

Regardless of whether trafficking is for the purposes of forced labour, sexual exploitation, trafficking significantly devastate women's health and well-being and their families. Female trafficking victims face health threats and diseases throughout the trafficking process. Obviously, the victims of trafficking experienced different forms of abuse including physical, sexual and psychological abuse and violence, poor living and working conditions, exposed to diseases etc. Handicapped by language, debt bondage and being under control of traffickers are barriers of trafficked victims to access health and social services when needed.

Trafficking in persons is a public health issue and a human right violation (Busza et al, 2004). Vietnamese women are vulnerable to being trafficked because of multi-faced factors that are mainly related to gender discrimination, feminisation of poverty, unemployment, labour migration and mobility, high demand for labour and sex industry, materialism, weaknesses of legal frameworks/ polices and law enforcement, poor awareness and understanding of trafficking issues, incoherent communities.

Recognised that the complexity of trafficking cycle and causes as mentioned above, effective measures to "break the cycle" of trafficking should be comprehensive, multi-pronged and multi-level to reduce the vulnerability of women to trafficking. Given that trafficking is transnational issue. It not only an internal issue of Vietnam, but also involved other countries. Therefore, expansion of cooperation and synergy network for intervention strategies in the transit and destination nations is very critical and essential to provide assistance to trafficked victims at the early stage.

CHAPTER 7. RECOMMENDATION

Based on the study findings, strategies and interventions for prevention of trafficking and assistance to the trafficked women are recommended as follows:

7.1 Recommendations at national level

Recommendation 1. The government should focus on labour migration policies to promote regulated, orderly and humane migration

Improving labour migration policies should be prioritised in order to safeguard the rights of migrants, to prevent exploitation and human trafficking. The government should regulate and punish fraudulent recruitment for employment including recruitment agencies for both internal and international labour. Strict monitoring and inspection of existing regulations on recruitment and employment should be implemented.

The rights of workers who are recruited for working abroad should be safeguarded by the Vietnamese government by improving licensing of recruitment agencies. The Government should supervise and monitor all stages of the migration process.

In addition, through bilateral or multilateral cooperation, the government should advocate for agreement on anti-trafficking measures including regulation of sex industry (e.g. top up taxation for sex industry sectors/services) to reduce the sex demand, decriminalising sex workers to protect trafficked victims.

Recommendation 2. Law enforcement

The local authorities should sensitise law enforcement officials and local authorities at all levels.

Law enforcement personnel should be provided with adequate training in the investigation and prosecution in criminal cases of trafficking. This training should be sensitive to the needs of trafficked persons, particularly women and children and should acknowledge the practical value of providing incentives for trafficked persons and others to come forward to report traffickers. The involvement of relevant non-governmental organisations in such training should be considered as a means of increasing its relevance and effectiveness.

Law enforcement authorities should be provided with adequate investigation powers, techniques, means to enable effective investigation and prosecution of suspected traffickers.

Recommendation 3. Research and improvement of information management system on trafficking

Anti-trafficking strategies will be more realistic and effective if there is adequate and accurate understanding of the nature of problem through evidence provided by research. Therefore, the government should encourage and support NGOs and academic institutions to conduct research on trafficking.

Trafficking is not merely for the purpose of sexual exploitation. Vietnamese female migrants trafficked for labour exploitation in other countries should be taken into account. The research should be undertaken and focused more on trafficking in men and their needs for support.

Other research should be conducted to learn more about good practices on anti-trafficking and support services to meet the needs of trafficked survivors. Moreover, in order to ensure the best quality of research and sensitivity of the problem, researchers should be provided adequate training on research skills and techniques specialising in trafficking.

In addition, the government should consider setting up a systematic database on trafficking that ensures recording, updating and analysing data on trafficking.

6.1 Recommendations at community levels

6.1.1 Prevention measures

Recommendation 4. Local authorities and NGOs should develop and implement community-based programmes focused on improving livelihoods of poor women and households

Livelihood schemes are needed to generate income. The schemes should be: (a) leading to true economic empowerment of vulnerable women; (b) based on community interests and resources; (c) linked to the market demand; (d) sustainable and linked to community development efforts. Individuals and households, families, groups or communities should be targeted and empowered to take control over their life.

The following process is recommended: (a) undertake business opportunity identification to enable a number of existing market opportunities in accordance with poor households' needs and capacities that have been identified; (b) training for women on technical skills and access to loans to enable them to utilise their training skills in income generation activities and employment; (c) establish community based insurance schemes to protect the poor to prevent from catastrophic problems/ costs such as sickness, natural disaster, business failure. The options depend on community interest i.e. social security insurance, health insurance, etc.

Recommendation 5. Local authorities and NGOs should conduct awareness raising programmes about trafficking and promote "safe labour migration" among potential migrants/victims of trafficking.

The Information, Education and Communication (IEC) programmes should be developed and tailored for different groups including potential migrants/ victims of trafficking and their families. These should raise awareness about risks of trafficking, unsafe migration and provide adequate information for potential migrants/ victims of trafficking.

Information should be provided on costs and benefits of labour migration, possibilities and requirements for legal migration and employment in other countries; recruitment tactics and channels used by traffickers; information on legal issues for claiming their rights. Different communication channels such as use of television, radio, newspapers and social drama can be used to increase the effectiveness.

7.2 Rehabilitation and reintegration

Recommendation 6. The local authorities should have actions to improve the identification of trafficked victims and traffickers.

Police and border guard officials at all levels are encouraged and supported for the development of proactive investigatory procedures in identifying trafficked cases, combating trafficking and protecting the victims.

Guidelines/protocols for identification of trafficked persons and traffickers need to be developed.

Train and sensitise police, prosecutors, border guard officials, immigration and judicial authorities and on trafficking including health risks and consequences of trafficking so that they can refer the trafficked victims to health care services in a timely manner, especially when trafficked victims are in urgent situation for health care intervention.

Recommendation 7. Department of Health and NGOs should develop programmes to provide for trafficked women with physical, psychological and social recovery at the early stage of their return.

This can be done through provision of intensive training to build capacity for community social and health workers on counselling skills for trafficked victims. Referral services can be set up to provide support for the trafficked victims in communities, especially high-risk communities.

Ensure that all the referral services should be sensitized and trained on trafficking issues and skills on dealing with trafficking survivors.

Community social workers should provide adequate information on the referral services and support the victims to have access to such services.

Provide information on trafficking prevention for trafficked victims to avoid being re-trafficked. Community social workers can organize home based counselling for trafficked victims.

Recommendation 8. Health care providers need to provide physical, sexual reproductive and mental health support for trafficked survivors.

Health services should include: counselling and psychological assistance, services addressing HIV/AIDS, STDs, unwanted pregnancy and post-abortion services. Long term and follow-up services are required. Trafficked women who have PTSD should be given specialised support.

Ensure health services should include: counselling and psychological assistance, medical testing for general physical health, including HIV/AIDS, STDs, HIV voluntary testing and counselling, pregnancy, post-abortion services, supplies including medication, and information and education services, information about HIV/AIDS.

Health services should be made available in the country of origin (and/or the country of destination if possible). In the origin country, make sure that health services available in shelters, in high risk communities/ locations.

Health care services for victims should be different from other services for general population in terms of security, confidentiality, human right respect.

Recommendation 9. The local authorities and NGOs should support trafficked women to acquire skills and livelihood options to reintegrate into community.

The activities are recommended as follows:

A needs assessment should be conducted to identify the specific needs of trafficked victims to develop plan of action.

Those who are able to do income generation activities i.e. agricultural, animal husbandry, petty trading, etc. should be supported to access micro-credit programmes available in community. They should be provided with technical training on business planning and management and farming techniques/ skills.

Those who need vocational skills training should be supported to attend training courses at vocational training centres in community. They should be assisted to find job opportunities through the vocational training and employment information centres within their province or in neighbouring provinces.

Bibliography

- Action Aid Vietnam, 2005.** *Synthesis Report: The Trafficking of Vietnamese Women and Children.* [online]. Available at: http://www.humantrafficking.org/uploads/publications/oxfam_antitrafficking_program_in_vietnam.pdf [accessed on 10 July 08]
- Beyrer C. & Stachowiak J., 2003.** *Health consequences of trafficking of women and girls in Southeast Asia.* The Brown Journal of World Affairs. Volume X, Issue 1
- Beyrer C., 2004.** *Is Trafficking a health issue?* The Lancet. Vol 363, February 14, 2004. Available at: www.thelancet.com
- Busza J. et al, 2004.** *Trafficking and health,* [online]. BMJ volume 328 5 June 2004. Available at: <http://www.bmj.com/cgi/content/full/328/7452/1369#REF2> [Accessed 6 Dec 07]
- CARAM Asia, 2005.** *State of Health of Migrants: Access to Health.* Kuala Lumpur, Malaysia.
- Dang Nguyen Anh et al, 2003.** *Migration in Vietnam: A review of information on current trends and patterns, and their policy implications.* Available at: http://www.livelihoods.org/hot_topics/docs/Dhaka_CP_7.pdf [Accessed on 4 July 08].
- Dang Nguyen Anh et al., 2008.** *Mobility and HIV Vulnerability in Vietnam: A review of published and unpublished data and implications for HIV prevention programmes.* Canada Southeast Asia Regional HIV/AIDS Programme (CSEARHAP).
- Dang Nguyen Anh, 2007.** *Labour Export from Viet Nam: Issues of Policy and Practice.* Paper for presentation at the 8th International Conference of Asia Pacific Migration Research Network, Fuzhou, China, 25-29 May 2007. Available at: <http://apmrn.usp.ac.fj/conferences/8thAPMRNconference/10.Dang%20Anh.pdf>. [Accessed on 11 July 08]
- Derks A, 2000b.** *From white slaves to trafficking survivors: Notes on the trafficking debate.* Working paper #00-02m. Conference on Migration and Development from May 4-6, 2000. University of Nijmegen, the Netherlands.
- Derks A. et al, 2006.** *Review of a Decade of Research on Trafficking in Persons, Cambodia.* [online]. Available at: <http://www.no-trafficking.org/content/pdf/taf%20research%20review%20report%202006.pdf>. [Accessed on 11 July 08]
- Derks A., 1998.** *Trafficking of Vietnamese women and children to Cambodia.* International Organization for Migration & Centre for Advanced Study (IOM/CAS), Cambodia.
- Derks A., 2000a.** *Combating Trafficking in South-East Asia: A Review of Policy and Programme Responses.* Geneva. International Organisation for Migration (IOM).
- Do Nhu Tam et al, 2003.** *Marriages of Convenience: Context, processes and results of cross-border marriages between Vietnamese young women and Taiwanese men.* Hanoi, Vietnam. Save the Children Sweden.

Ellsberg M, and Heise L., 2005. *Researching Violence Against Women: A Practical Guide for Researchers and Activists*. Washington DC, United States: World Health Organization, PATH. Available at: http://www.path.org/files/GBV_rvaw_complete.pdf

Farley M. et al, 2003. *Sex work and trafficking in nine countries: An update on violence and posttraumatic stress disorder*. [Online]. Available at: http://www.sexworkresearch.com/pdf/Sex_workin9Countries.pdf

Gajic-Veljanoski O. & Stewart D.E., 2007. *Women trafficked into sex work: Determinants, human rights and health needs*. *Transcultural Psychiatry* 2007; 44; 338. Sage Publication

Gushulak B.D & MacPherson D.W, 2000. *Health issues associated with the smuggling and trafficking of migrants*. *Journal of Immigrant Health* Vol.2, No.2, 2000

Huguet Varamon J.W & Ramangkura, 2007. *The long road home: Analysis of regional and national processes for the return and reintegration of victims of trafficking in the Greater Mekong Sub-region*. IOM, AusAID, UNIAP, UNAIDS.

ICSW (International Council of Social Welfare), 2007. *Trafficking and related labour exploitation in the ASEAN region*

ILO, (n.d). *Preventing Discrimination, Exploitation and Abuse of Women Migrant Workers*. An Information Guide. Booklet 6. Trafficking of women and girls. Geneva.

ILO, 2007. *Good practices and Lessons learnt: the project to combat trafficking in children and women at a community level in Vietnam*

IOM, 2002. *A study on the situation of Cambodian Victims of Trafficking in Vietnam and Returned Victims of Trafficking from Vietnam to Cambodia*. Editor: Scotte Hearnden & Shannon Bullock, Ho Chi Minh City, Vietnam.

IOM, 2004. *International Migration Law. Glossary on Migration*.

Jeffreys S., 2006. *The traffic in women: Human right violation or migration for work*. In: Anuja Agrawal, editor: *Migrant women and work*. Sage Publication, New Dehli, Thosand Oak, London.

Kaye M., 2003. *The migration-trafficking nexus: Combating trafficking through the protection of migrants' human rights*. London: Anti Slavery International, UK.

Kilmarx P.H et al., 1998. *HIV-1 seroconversion in a prospective study of female sex workers in northern Thailand: continued high incidence among brothel-based women*. *AIDS*, 112, 1998, pp. 1889-1898

Le Bach Duong, 2002. *Children in sex work in Hanoi, Hai Phong, Ho Chi Minh City and Can Tho: Rapid Assessment*.

Le Bach Duong, Belanger D. & Khuat Thu Hong, 2005. *Transnational Migration, Marriage and Trafficking at the China-Vietnam border*. CEPED-CICRED-INED Seminar on Female Deficit in Asia: Trends and Perspectives, Singapore, 5-7 December, 2005 (Unpublished)

Life-Cacioppo C., 2006. *The Situation of Migration and Trafficking of Children and Women: A Rapid Assessment in Hau Giang, Can Tho and Tay Ninh provinces, Vietnam*.

Life-ILO, 2005. *A Rapid Assessment on the Situation of Migration and Trafficking in Women and Children in Hau Giang, Can Tho, Tay Ninh Province, Vietnam*. International Labour Organisation (Unpublished study report)

Life-SC/UK, 2006. *Participatory Action Research and Knowledge, Attitudes and Practices Survey in Ca Mau City, Vietnam*. Child Protection and Anti-trafficking Project in Ca Mau Province (Unpublished study report)

Lynellyn D. Long et al, 2000. *Changing Gender Relations in Vietnam's Post Doi Moi Era*. Policy research report on gender and development. Working Paper Series No. 14

Marshall P., 2001. *Globalization, Migration and Trafficking: Some Thoughts from the South-East Asian Region*. Paper for Globalization workshop in Kular Lumpur [online]. Available at: http://www.no-trafficking.org/content/web/07publication/globalization_migration_and_trafficking.pdf [Accessed on 6 Dec 07]

Miko F.T & Park G., 2002. *Trafficking in Women and Children: The U.S. and International Response*. CRS Report for Congress.

MOFA, 2007a. Political system. (Hitting the headlines article) [online]. (updated 21 Nov 2007). Available at http://www.mofa.gov.vn/en/tt_vietnam/nr040810155159/ [Accessed on 1 July 2008]

MOFA, 2007b. Religion and Belief. (Hitting the headlines article) [online]. (updated 21 Nov 2007). Available at http://www.mofa.gov.vn/en/tt_vietnam/nr050324092159/ . [Accessed on 1 July 2008]

MoPS, 2007. *Survey report on returned victims of trafficking abroad* (Báo cáo kết quả khảo sát tình nạn nhân bị buôn bán ra nước ngoài hồi hương). (Unpublished)

Nguyen Thu Phuong et al., 2005. *Determinants and Impacts of Migration in Vietnam*. DEPOCEN Working Paper Series No. 2008/01. [Online]. Available at: <http://depocenwp.org> [accessed on 3 July 08]

Pearson E., 2000. *Human Rights and Trafficking in Persons: A Handbook*. Global Alliance Against Traffic in Women. Bangkok, Thailand. [e-book]. Available at: <http://www.gaatw.org> [accessed on 17 August 08]

PHR (Physician for Human Rights), 2003. PHR Library. Sex trafficking and the HIV/AIDS Pandemic. (Hitting the headlines article) [online]. Available at: <http://physiciansforhumanrights.org/library/2003-06-25.html> [accessed on 14 July 08]

PRB, 2008a. Education. (Hitting the headlines article) [online]. Available at: http://www.prb.org/Datafinder/Geography/Data.aspx?category=11®ion=161®ion_type=2 [Accessed on 20, August 08]

PRB, 2008b. Health (Hitting the headlines article) [online]. Available at: http://www.prb.org/Datafinder/Geography/Summary.aspx?region=161®ion_type=2 [Accessed on 20, August 08]

Rushing R. et al, 2005. *Living the Reality of Forced Sex Work: Perspectives from Young Migrant Women Sex Workers in Northern Vietnam*. Journal of Midwifery & Women's Health

Rushing R., 2006. *Migration and Sexual Exploitation in Vietnam*. Asian and Pacific Migration Journal, Vol. 15, No. 4, 2006

Rushing. R.M & Watts Ch., 2005. *The new market economy (Doi Moi) in Vietnam and its impact on young people*. [Online]. Available at: <http://iusp2005.princeton.edu/download.aspx?submissionId=50294> [accessed on 10 July, 08]

Silverman J.G. et al, 2007. *HIV Prevalence and Predictors of Infection in Sex-Trafficked Nepalese Girls and Women*. JAMA, August 1, 2007—Vol 298, No. 5. American Medical Association, the U.S.

Silverman J.G. et al, 2008. *Syphilis and Hepatitis B Co-infection among HIV-Infected, Sex-Trafficked Women and Girls, Nepal*. DISPATCHES. Emerging Infectious Diseases. Vol. 14, No. 6, June 2008. Available at: <http://www.cdc.gov/eid/content/14/6/pdfs/932.pdf>

Simkhada P., 2002. *Trafficking and HIV/AIDS: The case of Nepal*. Department of Social Work Studies, University of Southampton, U.K

Skeldon, 2001. *Labour migration and trafficking within the greater Mekong Sub-region: Proceedings of Mekong Sub-regional experts meeting and exploratory policy paper*. Bangkok. International Labour Office.

Steinfatt, Thomas M., 2003. *Measuring the Number of Trafficked Women and Children in Cambodia: A Direct Observation Field Study*. Available at: <http://www.slate.com/Features/pdf/Trfciiif.pdf>

Tep M., S.Ek & Maas M., 2001. *Different mindsets, different risks: Looking at risk factors identified by Vietnamese sex workers in Cambodia*.

Tsutsumi A. et al, 2008. *Mental health of female survivors of human trafficking in Nepal*. Social Science & Medicine 66 (2008) 1841-1847

U.S.A, Department of State, 2006. *Trafficking in Persons Report 2006*. [online]. Available at: www.state.gov/g/tip [Accessed on 12 August 08]

U.S.A, Department of State, 2007. *Trafficking in Persons Report 2007*. [online]. Available at: www.state.gov/g/tip [accessed on 12 August 08]

U.S.A, Department of State, 2008. *Trafficking in Persons Report 2008*. [online]. Available at: www.state.gov/g/tip [accessed on 12 August 08]

UNDP, 2008. Viet Nam The Human Development Index - going beyond income. Human Development Report 2007/2008 (Hitting the headlines article) [online]. Available at: http://hdrstats.undp.org/countries/country_fact_sheets/cty_fs_VNM.html

UNGASS, 2008. The third country report on following up to the declaration of commitment on HIV/AIDS – from 2006-2007. [online]. Available at: http://www.unaids.org.vn/resource/ungass/ungass_08_e.pdf [Accessed on 19 March 08]

United Nations, 2000. *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*.

- UNODC**, 2008. *Human Trafficking: An Overview*. New York. United Nations.
- VASS** (Vietnamese Academy of Social Sciences), 2004. *Vietnam Poverty Update Report 2006: Poverty and Poverty Reduction in Vietnam 1993-2004*. Hanoi, World Bank.
- VnExpress**, 2008. Cho thuê gai loại hình kinh doanh tra hình. (Hitting the headlines article) [online]. [updated on 22 Dec 2008] Available at: http://tintuc.timnhanh.com/phap_luat/20061222/35A5946E/
- Vu Ngoc Binh**, 2006. *Trafficking of Women and Children in Vietnam: Current Issues and Problems*. Trafficking & the Global Sex Industry Edited by Karen D. Beeks and Delila Amir.
- WVU**, 2007. *Survey report on repatriation and reintegration of returned female victims of trafficking*. Hanoi, Vietnam (Báo cáo khảo sát tình hình trở lại và tái hòa nhập của nạn nhân là phụ nữ bị buôn bán trở về) (Unpublished)
- WVU**, 2008. *Anti-trafficking of women and children (Hoạt động phòng chống buôn bán Phụ Nữ Trẻ em)*. (Hitting the headlines article) [online]. [updated on 30 April 2008] Available at <http://www.hoilhpn.org.vn/NewsDetail.asp?Catid=156&NewsId=8237&lang=VN> [Accessed on 14 August 2008]
- Wahyuningrum**, 2004. *From migration to trafficking of women and children in Southeast Asia*. Journal Population, vol.10, No.1, 2004: 13-19
- WHO**, 2004. *Vietnam Country Health Information Profiles, 2004*. Hitting the headlines article) [online]. Available at: <http://www.wpro.who.int/NR/rdonlyres/F3FB3D5B-4AC6-45FC-B1FA-5A9797B32640/0/40VietNam07.pdf>
- World Bank**, 2006. *Vietnam Country Gender Assessment*. Hanoi, Vietnam. Available at: <http://www-wds.worldbank.org>
- World Bank**, 2006. *Vietnam Development Report 2007*. Joint donor report to Vietnam consultative meeting. Hanoi, Vietnam. <http://www-wds.worldbank.org>
- World Bank**, 2008. *Vietnam Development Report 2008: Social Protection*. Joint Donor Report to the Vietnam Consultative Group Meeting Hanoi, Vietnam December 6-7, 2007
- Yi Wang**, 2005. *Trafficking in women and children from Vietnam to China: Legal framework and government responses*. Hanoi, Vietnam. Oxfam Quebec.
- Zimmerman C.** et al, 2006. *Stolen smiles: A summary report on the physical and psychological health consequences of women and adolescents trafficked in Europe*. The London School of Hygiene & Tropical Medicine. London, U.K.
- Zimmerman C.** et al, 2008. *The health of trafficked women: A survey of women entering post-trafficking services in Europe*. American Journal of Public Health. Volume 98, No.01.
- Zimmerman.C** et al, 2003. *The health risks and consequences of trafficking in women and adolescents findings from a European study*. London School of Hygiene & Tropical Medicine. London, UK

Appendices

Appendix 1.

Map of Vietnam and Greater Mekong Sub-region and Asia

Appendix 2.

National Plan of Action against trafficking crime of women and children from 2004 to 2010