

A NEW PHENOMENON IN HUMAN TRAFFICKING CROSSING VIETNAM-CHINA BORDER

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Outline

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1. Human Trafficking in Vietnam and Crossing Vietnam-China Borders

- A supplying country of human trafficking: the Czech Republic, Malaysia, Cambodia, China (P.R.C), Hong Kong, Macau, Taiwan, South Korea, and recently to West Asia and Africa
- 33 routes and 140 areas where human trafficking is very serious in Vietnam
- 1998-6/2007: 4,527 Vietnamese women and children were reportedly trafficked, among that 3,286 people were sold to other countries.

Serious situation of human trafficking crossing Vietnam-China borders

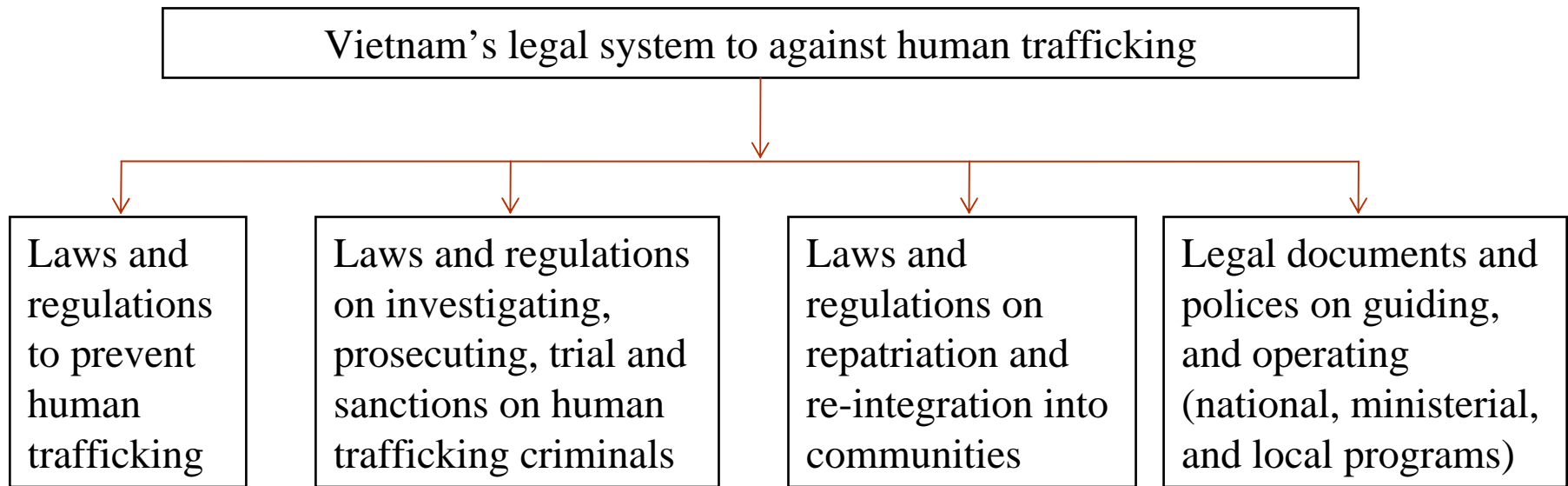
- Border provinces of Vietnam with China, such as Lao Cai, Ha Giang, Cao Bang, and Lang Son.
- At least 22,000 Vietnamese women were trafficked to China to be wives, sex workers or housemaids since 1991.
- Before the mid-1990s, Vietnamese women were trafficked to impoverished mountainous areas in China as brides. After the mid-1990s, they are being trafficked to China to work in brothels
- Vietnam is also a transit spot of human traffickers to other countries. In the first six month of 2006, 37 Chinese children were brought to Vietnam before being sent to a third country

Reasons:

- Long and porous border lines, with the scattered populations. Most of them are ethnic minorities with less opportunities to access education and popular media.
- Ethnic minorities have kinship with communities accrossing the borders.
- The backward economy in the rural and mountainous areas → the unemployment keeping serious.
- The managerial capability of the local goverments

2. Vietnamese Government's Response

2.1 Legislations



- Inter-agency working mechanism:
 - Ministry of Public Security,
 - Ministry of Labor, Invalids and Social Affairs (MOLISA),
 - Ministry of Justice,
 - The Border Guards,
 - Ministry of Foreign Affairs,
 - People's Court, People's Procuracy,
 - Ethnic Committee of the National Assembly,
 - The Women's Union and Youth League.
- Ministry of Public Security takes the responsibility of presiding, examining the implementation of the Action Program on Preventing and Combating Criminals on Human Trafficking

2.2 International Cooperation

- *Multilateral Cooperation*
 - The UN's Convention Against Transnational Organized Crime
 - The 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
 - Convention on the Rights of the Child
 - The optional protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

- In the ASEAN framework, Vietnam joins the Treaty on Mutual Legal Assistance in Criminal Matters, Kuala Lumpur on 29 November 2004
- The COMMIT Process in Greater Mekong Sub-region
- The 156th member of INTERPOL in 1991
- Cooperates closely with international organizations (UNICEF, IOM, UNDOC, ILO, and etc) and non-government organizations (Save the Children, Oxfam Quebec, Action Aid Vietnam, and etc) to counter human trafficking

•Bilateral Cooperation

- Germany in 1996, Australia in 2000, Myanmar in 2004, Cambodia in 2005, and will sign an agreement with Thailand in 2007
- With China:
 - In 1998: Agreement on Legal Assistance in the field of criminal and civil affairs.
 - In 2001: Agreement Cooperation on Preventing and Combating Crimes and Keeping Order, Social Security, including countering crimes on women and children trafficking.
 - In 2003, Ministry of Public Security of Vietnam and China signed an Agreement on Cooperation Mechanism to Prevent and Combat Crimes.

2.3 Policy Implementations

- Action Program on Preventing and Combating Criminals on Women and Children Trafficking (Program 130/CP) in 2004. From 2004 to 2006, discover 568 human trafficking cases involving 993 people that illegally sold 1,518 women and children abroad. In the period 2005-2006, 1280 victims of human trafficking were brought back to Vietnam.
- Training courses to enhance the capacity of Vietnamese Police, the Border Army, the Peoples' Court, People's Procuracy and the Justice Departments.

3. New Phenomenon

- In the early 2007, some male adults were reportedly trafficked for forced labors to China.
- They were lured by lucrative jobs (a well-paid salary: 3.6 mil VND (220 USD)/month),
- But they were sold with price at 4000-9000 RMB (500-1100 USD)/person, then were forced to work for brick factories.

Problems

- Vietnam laws and regulations only mentions “women and children trafficking”, rather than “human trafficking” or “men trafficking”
- No legal definition of these terms.
- Laws and regulations has not yet stipulated that the activities of men trafficking (over 16 years old) are crimes
- The international cooperation in preventing and combating human trafficking is still limited → Difficult for exchanging information, assisting investigation, arresting criminals as well as rescuing, protecting and repatriating victims overseas

4. Solutions

- Alleviate poverty and develop economy in the mountainous and border provinces of Vietnam.
- Create jobs and improve the people's welfare
- Propagate more about the dangers of human trafficking, the forms of human trafficking, methods used by human traffickers, rather than only focus more on training officials.
- Revise and supplement its laws and regulations
- Establish regular cooperation mechanism on preventing and combating human trafficking between Vietnam and other countries

With China

- Vietnamese Government should strengthen cooperation on human trafficking through Interpol Office as well as in specific departments in Ministry of Public Security with China's counterparts.
- Vietnam and China should establish regular mechanisms of information exchanging and meetings between police agencies at the provinces and districts sharing borders of two countries