



Precarious Journeys

Mapping vulnerabilities of victims of trafficking from Vietnam to Europe

A summary report of key findings and recommendations





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Pacific Links Foundation envisions a world where communities are free from human trafficking. We break the cycle of human trafficking by investing comprehensively in at-risk youth to prevent trafficking before it starts and in survivors to build a new life. Our counter-trafficking and reintegration programs throughout Vietnam address the root causes of trafficking, working together with local and international partners to provide the most vulnerable populations with access to education, economic opportunities, gender equality, and shelter and reintegration services. For further information see:

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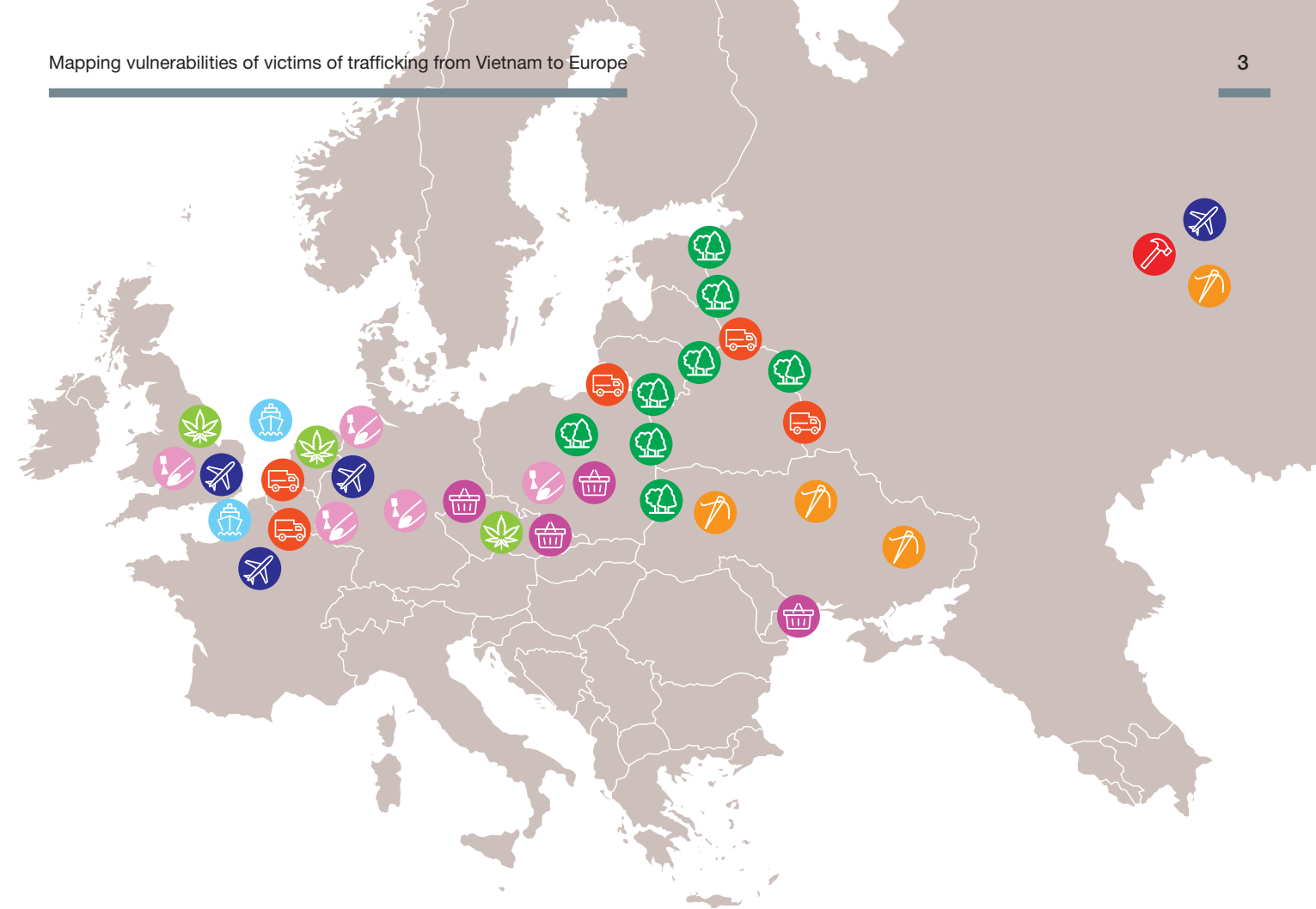


Home Office

This report was written with funding from the UK Home Office Modern Slavery Innovation Fund.

The research was undertaken independently of the Home Office and any opinions expressed in this report do not necessarily represent the official views of the British Government.

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Some Vietnamese migrants enter the EU on foot, passing through forest areas.



Some Vietnamese migrants enter EU countries on a flight.



Some Vietnamese migrants fly from Hanoi to Moscow, then pass into Eastern Europe and through Central Europe by car or lorry, before moving to Western Europe.



Vietnamese migrants are commonly exploited in garment factories that produce counterfeit goods sold throughout Europe.



Vietnamese people are commonly exploited in the construction industry for periods of time before continuing into the EU.



Marketplaces offering Vietnamese goods and services are commonly the first stop for Vietnamese migrants moving across Europe, with many workers becoming vulnerable to exploitation.



Drug production and nail bars are the most common industries in which Vietnamese migrants are exploited in Europe.



Reports have shown some Vietnamese migrants have used ferry crossings to enter the UK irregularly.

South East Asia



“ I was a child who was taken across Europe by people I was scared of. In France, the police didn’t help me and my traffickers found me again. When in the UK, I was treated like a criminal. One thing I would say to the people in Europe is, if it happened to your children, you wouldn’t ignore it. One thing I would say to the UK Government is, why are the victims the ones you treat like criminals? ”

– Vietnamese child victim of trafficking in ECPAT UK’s youth group

Executive summary

This research was conducted by Every Child Protected Against Trafficking (ECPAT UK), Anti-Slavery International (ASI) and Pacific Links Foundation (PALS). Over one and a half years the research investigated the issue of human trafficking from Vietnam to the UK, and through Europe; specifically Poland, the Czech Republic, France and the Netherlands to the UK. This report summarises the main findings of the research. It highlights that whilst there are many vulnerabilities which result in a person leaving Vietnam, vulnerabilities are not inherent in all Vietnamese migrants. Situational and contextual factors can increase vulnerability and risk of trafficking across all aspects of a migrant’s journey from Vietnam to Europe.

In recent years, human trafficking from Vietnam across Europe to the UK has gained considerable attention from the UK public, the UK government and NGOs working to protect the rights of vulnerable victims of trafficking. Motivated by previous reports highlighting an increase of Vietnamese children and adults forced to grow cannabis in the UK or exploited in nail bars¹, combating human trafficking (or modern slavery) of Vietnamese people has officially been prioritised by the UK government. This is in part due to the consistently high number of Vietnamese nationals reported as potential victims of human trafficking via the National Referral Mechanism (NRM), the UK’s system for identification and protection of victims. The figures from 2009-2018 show that 3,187 Vietnamese adults and children have been identified as potential victims of trafficking.² For the past few years, both Vietnamese adults and children have appeared within the top three nationalities of those identified as potential victims of trafficking in the UK.³

¹ Anti-Slavery International (2014). Trafficking for Forced Criminal Activities and Begging in Europe: Exploratory Study and Good Practice Examples. See: https://www.antislavery.org/wp-content/uploads/2017/01/trafficking_for_forced_criminal_activities_and_begging_in_europe.pdf.

² National Crime Agency. National Referral Mechanism Statistics. See: <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics>. Supplemented from information from IASC Report (2017). Combating modern slavery experienced by Vietnamese nationals en route to, and within, the UK. See: <https://www.antislaverycommissioner.co.uk/media/1159/iasc-report-combating-modern-slavery-experience-by-vietname-nationals-en-route-to-and-within-the-uk.pdf>.

³ National Crime Agency. National Referral Mechanism Statistics. See: <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics>.

Despite the growing body of research on human trafficking from Vietnam and the UK Government’s renewed commitment to combating modern slavery, vulnerable Vietnamese adults and children continue to suffer exploitation at the hands of traffickers throughout Europe, including in the UK. Identification, protection measures and support for victims are often inadequate, increasing the vulnerability of migrants. Many Vietnamese victims of trafficking transiting through European countries experience long and arduous journeys. They are abused and exploited through forced labour or sexual exploitation, often at the hands of European gangs and traffickers. In many cases, victims are coming to the attention of authorities in European countries, but authorities fail to identify them as victims of trafficking; seeing them as irregular migrants or criminals. Significant numbers of Vietnamese children who come to the attention of authorities in Europe and the UK are going missing from care, never to return. While it is important to recognise the root causes or ‘push’ factors in Vietnam that influence, or even force, people to emigrate (putting them at risk of trafficking), it is equally important to understand shifting elements of vulnerability in the wider context of transit countries. It is also crucial for European governments, including the UK Government, to take action and implement victim-centred approaches to safe migration and the protection of victims and potential victims of trafficking.

There is limited understanding of the risk of trafficking amongst Vietnamese nationals. Human trafficking is a complex phenomenon that both adults and children in Vietnam are vulnerable to for a variety of economic, social, political, environmental and cultural reasons. These factors are interlinked. People in Vietnam, particularly in rural areas, are vulnerable to trafficking for the purpose of forced marriage, forced labour, sexual exploitation and criminal exploitation. Poverty or economic hardship alone is not necessarily a cause for heightened risk of human trafficking, however when poverty is combined with other factors, the risk can increase. Environmental and man-made disasters pose a threat to communities in Vietnam. They cause loss of homes and livelihoods and force people to migrate, increasing the risk of exploitation. The 2016 toxic waste spill by the Formosa steel factory in Ha Tinh Province⁴ devastated the local fishing economy and was cited by some Vietnamese migrants as a factor for leaving the region and migrating to Europe.⁵ Limited freedoms may be an additional factor for an individual to leave Vietnam, as those who speak out against the Government may face reprisals. Children are particularly vulnerable, for example there are street children in Vietnam who are easily exploited by traffickers. The Convention on the Rights of the Child defines a child as a person below 18.⁶ In contrast, Vietnamese law considers a child as a “human being below the age of 16”⁷, leaving children vulnerable to a lack of protections.

⁴ The Times (2016), ‘Vietnamese fisherman seek compensation after toxic spill’, 27 September 2016. See: <https://www.thetimes.co.uk/article/vietnamese-fisherman-seek-compensation-after-toxic-spill-ftx37wwgb>.

⁵ Vu M. Et al. Individual Interview, France, 2 May 2017.

⁶ UN General Assembly (1989). Convention on the Rights of the Child, Res. 44/25, 20 November 1989, entered into force 2 September 1990, Article 1. See: <http://www.un.org/documents/ga/res/44/a44r025.htm>.

⁷ Government of Viet Nam (2016). Children Law, Law 102/2016/QH13, Article 1. See: <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/103522/125796/F-1725767197/VNM103522%20Eng.pdf>.

While Vietnam has seen significant reductions in poverty at the national level, reductions are unequal across population groups and regions.⁸ The income gap remains wide and access to employment is concentrated in urban areas.⁹ Populations in rural communities are more vulnerable to risks of trafficking. Across Vietnam there is a lack of access to reliable information about employment opportunities and recruitment processes, particularly for overseas work.¹⁰ There is pressure, particularly for young people, to improve economic circumstances for themselves and their family. The desire for status afforded by material possessions, purchased with funds sent back to Vietnam in the form of remittances, drives many Vietnamese people looking for a better quality of life to take risks with labour brokers who are deceitful and may be traffickers, resulting in victims owing huge debts.

Human smuggling and human trafficking are distinct concepts, but they are often conflated in practice. This is particularly true when discussing the complex migration pathways from Vietnam that may begin as cases of smuggling, but involve exploitation and could turn into trafficking along the journey through Europe. For example, a person may consent to being smuggled on the basis that a job opportunity exists in the UK, however, in reality they have been deceived and are en route to an exploitative situation. This constitutes trafficking. The conflation of terms complicates the picture for practitioners trying to protect vulnerable migrants and victims of trafficking in Vietnam and throughout Europe. In particular, law enforcement authorities in Europe commonly treat occurrences as cases of smuggling rather than trafficking; criminalising people who are in fact victims.

Links with diaspora communities in Europe are major influencing factors in the decision to undertake irregular migration. Connections with social networks also influence the routes and characteristics of Vietnamese migration across Europe. There is a long history of migration of Vietnamese people to Europe. After the end of the Vietnam-American war in 1975, many Vietnamese ‘boat people’, left destitute, fled Vietnam and relocated across Europe. In the Soviet Era, communist countries created formal labour agreements with Vietnam that brought hundreds of thousands of temporary Vietnamese workers to Europe.¹¹ Some workers settled in Europe afterwards and in the following years, waves of Vietnamese migration continued. As a result, large diaspora communities have developed which today play an important role in influencing and enabling Vietnamese migrants to move to Europe. Diaspora networks can provide important and safe links for new Vietnamese migrants without legal status seeking work and opportunities. It was also found that they can heighten risks of exploitation through informal employment or possible links to criminal networks. Within some diaspora communities across Europe, there are engrained hierarchies and internal divisions, often based on socioeconomic status, with some factions involved in aspects of criminality, including human trafficking. As Vietnamese people migrate through Europe and to the UK, the situational factors they encounter can increase, or decrease, their vulnerability to trafficking and risk of exploitation.

8 United Nations Development Programme (2017). Poverty Reduction in Viet Nam. See: <http://www.vn.undp.org/content/vietnam/en/home/library/poverty/Poverty-reduction-in-Vietnam>.

9 Oxfam (2017). Even it up: How to tackle inequality in Vietnam. See: https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp-vietnam-inequality-120117-en.pdf.

10 US TIP Report (2018). Vietnam. See: <https://vn.usembassy.gov/2018-trafficking-persons-report/>.

11 Szymańska-Matusiewicz, G. (2015). The Vietnamese Communities in Central and Eastern Europe as Part of the Global Vietnamese Diaspora, Central and Eastern European Migration Review, editorial. See: <http://www.ceemr.uw.edu.pl/vol-4-no-1-june-2015/editorial/vietnamese-communities-central-and-eastern-europe-part-global>.

Scope, purpose and methodology

The primary objective of this research report was to expand knowledge on the vulnerability factors that increase the risk of trafficking to Europe amongst Vietnamese adults and children. The secondary objectives are 1) mapping the geographical routes taken by Vietnamese migrants into European countries and 2) highlighting gaps in protection that exacerbate vulnerability to trafficking in Europe.

Data collection took place in the UK and Vietnam, as well as key European transit countries, including Poland, the Czech Republic, France and the Netherlands. Information was also gathered, but to a lesser extent, from stakeholders from Belgium, Ukraine and Germany. Data was collected through a variety of qualitative methods. Data collection methods included:

- Semi-structured interviews with approximately 105 key informants (law enforcement, government actors, NGOs, Vietnamese community practitioners)
- 6 roundtable consultations in key transit countries (plus UK and Vietnam) with approximately 85 stakeholders
- 62 key individual interviews with Vietnamese migrants across Europe
- 17 key individual interviews in Nghe An province with
 - 1) returnees from Europe and the UK
 - 2) family members of migrants who went to Europe or the UK
 - 3) people intending to migrate to Europe or the UK
- 4 youth consultations in Vietnam and the UK with 27 participants
- Expert reports from key transit countries
- Participatory observation
- Media analysis
- Case study analysis
- Desk-based research
- Quantitative analysis of data collected via Freedom of Information requests made to UK police constabularies.

Case study highlighting gaps in protection¹²

In November 2016, four Vietnamese children were placed at a reception centre for unaccompanied children in Ter Apel, the Netherlands. In internal communications between the refugee organisations involved, this choice was questioned and assessed by one employee to be 'risky'. In a report made by the staff team at the accommodation facility, the boys were described as acting anxiously in the few days they stayed at the reception facility. They mostly stayed locked in their room and would only open the door slightly to look outside. Whenever they left the facility grounds, one boy who appeared to be the leader would be in possession of all the documentation of the group and walk in front, followed by the other three who would walk a few metres behind. What the boys did when they were outside of the facility is unclear. They told other residents they were from China. The facility employees noticed that they lacked any luggage on arrival. Three days after their arrival, the four boys went missing from the premises of the facility. They were reported missing to police and the guardian organisation, NIDOS. Findings from the Netherlands suggests that these boys were controlled through debt bondage and wanted to get to the UK.

¹² Case study from FOIA documents (2016). Internal communications COA, November 2016. Document requested by ARGOS/Lost in Europe.

Key findings which impact on vulnerability

- 1 There are strong socio-economic 'push and pull' factors that influence the decision of Vietnamese adults and children to leave Vietnam, heightening their vulnerability to being trafficked. Economic factors cannot be isolated from social, political or cultural 'push and pull' factors.**

Key influencing factors include the desire for an improved quality of life, including better opportunities for earning a substantive income that can be returned to the family (and country) in the form of remittances; the desire for heightened social status that can be achieved with material purchases using funds received via remittances; family pressure; lack of education; lack of support for children in need; lack of protective policies and practice; the spread of misinformation by deceitful labour brokers about opportunities abroad; environmental factors; social networks and ties to the Vietnamese diaspora in countries across Europe; and limited freedoms or possible action against dissidents in Vietnam.

- 2 The journey to Europe can be long and complex, with exploitation and abuse of victims present at each stage.**

Journeys commonly begin in Russia, where entry often takes place using a recycled passport. Entry to the EU typically occurs overland via external borders on the 'Eastern route', such as Belarus and Ukraine. Common transit countries travelled through en route to the UK include Poland, Slovakia, the Czech Republic, Germany and/or France. Movement takes place overland on foot and in cars or lorries, as well as via plane. New routes into Europe via South America are increasingly being observed. While some passages to Europe are well established, new ones tend to emerge in response to law enforcement observations, investigations and actions that impel smugglers or traffickers to use alternative borders. Smugglers or traffickers adapt their practice to overcome new obstacles or restrictions. This can present increased vulnerabilities and risks for migrants.

- 3 Vietnamese adults and children moving to and through Europe experience fluid and contextual factors that increase their vulnerability to trafficking.**

Exploitation is not restricted to taking place in the 'destination' country and can occur at any point in a Vietnamese migrant's 'journey'. Whilst pre-existing vulnerability such as (but not limited to) poverty, mental or physical disability, youth or old age, gender, pregnancy, culture, language, belief, family situation or irregular status can contribute to someone being exploited, vulnerability factors should also be examined situationally; for example in the context of 'transit countries' where policies in place can increase vulnerability. Someone who was not previously considered to be so, may become at risk of trafficking as their situation changes and consequently their vulnerability heightens. Migrants are resilient and are not without agency; adapting to unknown and evolving circumstances along the way. Acquiring evidence on the specific routes and journeys taken by Vietnamese persons of concern is integral to developing proper protection measures.

4 Governments across Europe are failing to identify and protect Vietnamese victims and potential victims of trafficking, often viewing and treating them as criminals. There is limited data collection to monitor and improve response.

Across Europe and the UK, it was found that there are varied levels of training of frontline practitioners in identifying and protecting victims of trafficking. Limited awareness and understanding of the issue has led to a misunderstanding of common indicators such as criminality. Many victims are being arrested for crimes they are compelled to commit, such as cannabis cultivation or working illegally. Victims reciting similar stories to law enforcement officials has also created a barrier to identification. Practitioners supporting Vietnamese people across Europe noted hearing similar stories that showed signals of trafficking, such as “I am here with my uncle”; “I was in the forest and my parents disappeared”; and “I need to meet my mom at the Eiffel tower”. Many practitioners noted they believe these ‘stories’ are fabricated, and that smugglers instruct Vietnamese people to use them. This has led to victims not being seen by authorities as credible, when instead this should have been seen as an indicator of trafficking. There is also a lack of reliable and consistent data on the numbers of potential victims identified across Europe. Vietnamese people in particular are at risk of ‘getting lost’ in the system because the recording of Vietnamese names on Western documents is tenuous and therefore easy to record incorrectly.

5 Authorities in transit countries view the issue of Vietnamese trafficking as one to be dealt with by the destination country, in this case the UK.

There is a common consensus that all Vietnamese irregular migrants in Europe want to reach the UK. However, the reality is more complex. Not all Vietnamese people make it to the UK; choosing to work for a period, and perhaps settle, in an alternative European country. This transit country mentality of ‘not our problem’, coupled with the myth that all Vietnamese people want to reach the UK, creates barriers to providing protection and support for potential victims, who are viewed as the responsibility of the destination country.

6 Vietnamese communities across Europe are commonly stereotyped and referred to as ‘invisible’ and ‘closed’. Authorities, practitioners and civil society actors commonly noted the Vietnamese community in different European countries was invisible and difficult to penetrate.

The inability to connect with and support potential victims exacerbates their vulnerability to trafficking and exploitation. Moreover, practitioners noted that Vietnamese victims of trafficking and/or exploitation did not self-identify, making it difficult to provide support. The perception that the community is invisible and quiet feeds into the transit country authorities’ mentality that members of the Vietnamese community are not a cause for concern. Other stereotypes of Vietnamese individuals include that they are ‘hardworking’, ‘organised’, ‘entrepreneurial’, ‘low-profile’, ‘they don’t cause problems’ and ‘they don’t ask for help’. These are barriers to identification. In some instances, notably in the Czech Republic, the Vietnamese community was negatively stereotyped as being rife with criminality, heightening the risk of criminalisation of victims.

7 Understanding and working with Vietnamese diaspora communities can provide insight into the connection between Vietnamese diasporas and human trafficking or people smuggling.

The Vietnamese diaspora across Europe is diverse and complex. Their characteristics change between and within each country. There are clear divisions and hierarchies among some diaspora communities, linked to socioeconomic status, geographic location of origin in Vietnam and length of stay in Europe. Close connection to the Vietnamese diaspora in ‘transit countries’ can result in varying outcomes. It may minimise the risk of exploitation for some; similarly, it could create risk where connections through the diaspora are used to access vulnerable people. This research has found that diaspora communities in transit countries shape the trends, characteristics and risks of trafficking and exploitation in those countries.

8 There is lack of communication and cooperation between government officials, frontline workers and NGOs within and between EU countries regarding the migration of Vietnamese nationals to and through their countries.

This lack of cooperation makes it easy for traffickers to operate, as there is limited awareness of what is happening or identification takes place too late. This includes officials in transit countries approaching the issue as a ‘temporary’ one that should ultimately be dealt with by officials in the ‘destination’ country. This approach increases the risk of trafficking and subsequently leaves victims vulnerable to inadequate protection and support.

9 Many Vietnamese migrants hold a fear of authorities and of speaking out.

Many Vietnamese individuals have grown up mistrustful and fearful of the police, meaning they may not want to cooperate with authorities in Europe and the UK. Vietnamese potential victims of trafficking in Europe and the UK who are referred to accommodation facilities or sent to detention centres are often afraid to speak out because of fear of reprisals from their traffickers or the Vietnamese authorities. Children in protection often do not want to disclose their names. They believe professionals are connected to the police and are therefore wary to provide information.

10 Debt burden and debt bondage increase the risk of exploitation in transit countries.

The system of debt bondage is prevalent amongst Vietnamese victims of trafficking in Europe. The cost of travelling to Europe typically ranges between \$10,000 USD and \$40,000 USD. Funds for travel are commonly borrowed, or family property is given as collateral. Smugglers demand interest on borrowed money, and the amounts owed can rise quickly. If debt lies with the remaining family in Vietnam, this can be used as a way to pressure and control the victim. The risk of economic exploitation through debt owed to the smuggler is significant because victims and potential victims do not wish their family to lose their home or be in danger. Migrants commonly acquire informal work throughout their journey to pay off such debt and enable them to continue moving.

11 Children are particularly vulnerable to trafficking in Vietnam, transit countries and destination countries. Poor policy and practice results in failures to recognise and protect vulnerable child victims. Vietnamese children are also going missing from the accommodation provided for them by statutory agencies.

Vietnamese children are generally taught cultural norms around respecting their elders and are therefore less likely to ask questions of adults they believe to be charged with their 'care'. This leaves children vulnerable to the harmful intentions of adults. There are also many street children in Vietnam, with little support or education, who are easily deceived by traffickers. Unaccompanied children who turn 18 are particularly at risk of being overlooked and let down in patchy support systems, as well as potentially detained or re-trafficked.

12 Vietnamese children are going missing from the accommodation provided for them by statutory services across Europe and the UK.

This is a major gap in protection. Many professionals do not have a clear understanding of why children go missing, where they go or how to prevent them from going missing. There are varying levels of accommodation offered to child victims; many are unsuitable and increase the risk of children going missing.

13 Social media and the increased availability of online information about work opportunities abroad play key roles in encouraging and facilitating migration from Vietnam to Europe.

People considering migrating to Europe use social media platforms to gather vital information about work opportunities in Europe, as well as logistical information about migration pathways. Social media is used to deceive migrants about opportunities. In European transit countries, when people are seeking information about onward movement, they often look to social media platforms for information. Vietnamese communities take seriously the advice of family friends or acquaintances. It is therefore difficult to counter misinformation received through word of mouth or social media, as generally Vietnamese people tend to believe acquaintances over professionals.

14 Rigid policies to control immigration and growing anti-immigration rhetoric throughout Europe exacerbates the vulnerability of Vietnamese adults and children to trafficking and exploitation.

It is very difficult for Vietnamese nationals to regularise their status in many European countries if they enter irregularly. This leaves them open to being exploited; especially when they must accept informal work. There is a growing view that most Vietnamese nationals transiting through Europe are 'economic migrants'. This view can prevent the identification of their vulnerability and support needs. Strong border controls mean that migrants are forced to take long and dangerous routes.

15 Vietnamese adults and children who are trafficked to Europe and then returned to Vietnam are at risk of re-trafficking and reprisals.

If a Vietnamese national leaves Vietnam via irregular means, is involved in criminal activity or has criticised the Vietnamese Government, there is significant risk to their safety upon return to Vietnam. If victims have spoken to the police and/or still owe a debt to their traffickers, they are likely to be at risk of re-trafficking or reprisals from their traffickers and/or the Vietnamese authorities. There is limited support available in Vietnam for returned victims, leaving them at risk of being re-trafficked or even becoming a trafficker themselves.

Recommendations

Recommendations in European countries, including the UK

For Government and State Bodies

- **Improve international collaboration and cooperation to prevent human trafficking, protect victims and prosecute those responsible.**
Governments should improve intelligence sharing and cooperation in order to respond to human trafficking across Europe and protect victims. This should include financial intelligence in order to identify and seize assets gained by traffickers.
- **Increase information sharing and networking with government bodies, statutory agencies and NGOs working in Vietnam and Europe to improve practice.**
In each country considered for the purpose of this research, there existed a lack of dialogue between government, statutory agencies and NGOs. Gaps in relevant knowledge continue to leave people vulnerable to trafficking. Steps should be taken to ensure pathways for NGOs to share knowledge and intelligence.
- **EU Member states should fully transpose the EU Directive (2011/36), with particular attention to Article 8 (non-punishment provision), Article 19 (National Rapporteur).**
All the EU member states assessed in this report have signed and ratified the EU Directive, but not all have transposed it fully into domestic legislation, leaving gaps in protection. National legislation should be introduced to ensure that individuals who are involved in criminality as part of their exploitation are not prosecuted for those offences.
- **Provide mandatory, comprehensive training on human trafficking for all frontline workers who are in contact with potential victims, including training with a specific focus on children.**
Potential victims are not being identified in Vietnam, transit or destination countries, which could result in them being trafficked. Professionals, in particular law enforcement authorities, require training to identify and safeguard potential victims. This should include training on Vietnamese culture and the specific control mechanisms used, such as debt bondage.
- **Recruit Vietnamese translators trained in confidentiality and child protection.**
Translation causes many barriers for vulnerable Vietnamese people across the countries identified in this research. There is a need for interpreters who are trained in and understand confidentiality and child protection.
- **Implement a system of guardianship in accordance with the EU Directive (2011/36) and other national and international legislation.**
There are varied responses and systems in place across Europe to protect child victims of trafficking. Every country considered in this report could improve support for children. This includes fully transposing the elements of the EU Directive. The implementation of a system of guardianship would assist in ensuring that victims' rights are being met and decisions are being made in the best interest of the child.

- **Provide policies and practice enshrining the ‘benefit of the doubt’ when assessing age.**

Many Vietnamese individuals lack documents proving their age. The EU Directive states ‘[w]here the age of a person subject to trafficking is uncertain, and there are reasons to believe it is less than 18 years, that person should be presumed to be a child and receive immediate assistance, support and protection’. If a person is thought not to be disclosing the truth about their age, authorities should not discount their statement of trafficking. There are numerous reasons people may not provide authorities with their real age, including being controlled by their traffickers. All victims of trafficking, whether children or adults, need their protection at the forefront of response.

- **Take measures to ensure systems are in place to prevent potential victims of trafficking from going missing.**

Processes must be put in place to understand why children go missing and steps must be taken to reduce their risk of going missing. This includes providing safe accommodation with staff who are trained to respond to the needs of trafficked children and understand the risks of them going missing.

- **Ensure the voices and experiences of people who have been trafficked are considered and respected, particularly for children in accordance with Article 12 of the United Nations Convention on the Rights of the Child.**

Many victims are not consulted with regard to their care and the policy and practice response to trafficking. This is particularly true of children. It is vital that victims input into a better understanding of the issue of trafficking from Vietnam to Europe, and the factors that leave adults and children vulnerable to it. They are the experts about their experience.

Specific recommendations in Vietnam

For Government and State Bodies

- **Improve national policy and practice to promote and protect the rights of adults and children, including fully Integrating the Association of Southeast Asian Nations Convention Against Trafficking in Persons, Especially Women and Children, 2015.**

The Vietnamese Government should ensure that it fully ratifies international human rights legislation and improves policy and practice to protect the rights of its citizens. Vietnam has ratified the ASEAN Convention and should ensure that all articles are fully met and integrated into national legislation and practice.

- **Improve access to education, especially for children who may be marginalised or living in poverty.**

Lack of access to education increases the risk of being trafficked as it can prevent children from understanding risk, reduce their access to opportunities and leave them vulnerable to exploitation. Educational opportunities are particularly difficult to access in rural areas and attention should be paid to those areas to ensure children are accessing education.

- **Take legislative measures to raise the legal age of a child to 18, in compliance with international legislation including the 1989 UN Convention on the Rights of the Child. The Vietnamese Government should amend all the relevant provisions, notably in the new Criminal Code, to protect all children under the age of 18 from all manifestations of trafficking and sexual exploitation**

- **Take legislative measures to criminalise the act of ‘grooming’ children.**

The Vietnamese Government should ensure that children are protected against grooming and exploitation.¹³

- **Improve awareness of, and access to, information helping migrants to make informed decisions, including 1) information about their rights and safe migration routes 2) risks including trafficking 3) information about destination countries. This will enable those wishing to migrate to make informed decisions.**

Incorrect information has led many to migrate who may otherwise not have, had they had access to accurate information. This may include information about challenging living and work conditions, the risks of illegal work such as cannabis cultivation and the true cost of the journey compared to earning potential. This can then be balanced against the actual property and material possessions that can be bought with money from remittances, which is currently a significant factor in encouraging people to migrate through risky methods.

- **Increase awareness of safe economic opportunities and employment rights Vietnam.**

As Vietnam continues to develop, there will be increased economic opportunities, particularly in the areas of foreign investment, including the technology, tourism and garment manufacturing sectors. It is important that this information is shared and promoted by the Government and other actors, in addition to information on safe and healthy employment.

- **Increase regulation and oversight of labour broker agencies to minimise deceitful agents exploiting people looking for employment.**

Further regulation and oversight will reduce the risk of exploitation among Vietnamese nationals wishing to find employment and identify potential traffickers.

- **Improve policies to prevent and/or mitigate the effects of environmental disasters and climate change.**

In Vietnam, environmental disasters dramatically increase the risk of trafficking as people and communities are displaced and lose livelihoods. The Government should develop a plan to protect those affected.

¹³ This recommendation was jointly made by ECPAT International and Vietnam Association for Protection of Child's Rights in the 2018 Universal Periodic Review. A Universal Periodic Review is a United Nations mechanism that involves reviewing the human rights record of a country, including actions they have taken to fulfil human rights obligations. The aim is to improve the situation. See: ECPAT International and Vietnam Association for Protection of Child's Rights (2018). Sexual Exploitation of Children in Viet Nam Submission for the Universal Periodic Review of the human rights situation in Viet Nam to the Human Rights Council 32th Session (January - February 2019), 9 July 2018. See: <https://www.ecpat.org/wp-content/uploads/2018/07/Universal-Periodical-Review-Sexual-Exploitation-of-Children-2018-Viet-Nam.pdf>.

Acknowledgements

This report is part of a wider project to prevent human trafficking and protect victims in Vietnam. Pacific Links Foundation (PALS) is the lead partner in the project; Anti-Slavery International (ASI) and Every Child Protected Against Trafficking (ECPAT UK) are partners. This research report was led by ASI and ECPAT UK and supported by PALS.

We would like to thank Tereza Freidingerová, Leszek Sobolewski, Danielle Tan, Thi Hiep Nguyen, Dr. Tran Thi Lan Anh and Hannah Kooy for contributing contextual analyses of European transit countries and characteristics of Vietnamese diaspora communities in said countries. Thank you to Kalvir Kaur for support with editing.

We would also like to thank all the organisations in Vietnam and across Europe that work to protect the rights of vulnerable migrants, who took the time to discuss their work and the challenging issue of trafficking from Vietnam to Europe.

We support safe migration and advocate for increased access to safe migration. We also advocate for a victim-centred approach in combating human trafficking and supporting all victims in the UK, Vietnam and abroad. ECPAT UK, in particular, believes including the voices of young people who have been trafficked and exploited is vital. This research is inclusive of their experiences.

