



Exploratory research – Trafficking in Boys in Viet Nam

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LIST OF ACRONYMS

CHDC	Community Health Development Consulting Joint Stock Company
CEOP	Child Exploitation and Online Protection Centre
CRC	The Convention on the Rights of the Child
DOLISA	Department of Labour Invalid and Social Affairs
DOTE	Department of Training and Education
DOPS	Department of Public Security
FGDs	Focus group discussions
GSO	The General Statistics Office
HCM	Ho Chi Minh
HIV	Human Immunodeficiency Virus
IDIs	In-depth interviews
ILO	International Labour Organization
IOM	International Organization for Migration
JP	Joint Programme
JPGE	Joint Programme on Gender Equality
JSC	Joint Stock Company
MDG-F	Millennium Development Goals Achievement Fund
MOLISA	Ministry of Labour Invalid and Social Affairs
MOJ	Ministry of Justice
MOPS	Ministry of Public Security
MOCST	Ministry of Culture, Sports and Tourism
NGO	Non – Government Organization
NPA	National Plan of Action
OP	Optional Protocol
PC	People’s Committee
PS	Public Security
RMB	Chinese Yuan
TTXVN	Vietnam News Agency
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNIAP	United Nations Inter – Agency Project on Human Trafficking
UNICEF	United Nations Children’s Fund
UK	United Kingdom
UNODC	United Nations Office on Drugs and Crime
USD	US Dollar
VND	Viet Nam Dong
YU	Youth’s Union
WHO	World Health Organization
WU	Women’s Union

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EXECUTIVE SUMMARY

This report documents exploratory research on trafficking in boys in Viet Nam and is an activity under the General Statistics Office (GSO) component, implemented by International Organization for Migration (IOM) under the three-year Joint Programme on Gender Equality.

Though previous studies, anecdotal evidence and media reports indicate that boys are trafficked in or from Viet Nam for sex, adoption and forced labour, very little research has focused specifically on trafficking of boys.

The goal of this research is to contribute to the broader objective of ensuring that the particular situation and vulnerabilities of boy victims of human trafficking are adequately addressed in Viet Nam's legal and policy response to the issue. The research objectives are to assess awareness of local authorities and community on and practices to address trafficking in boys, identify forms of trafficking in boys, factors that contribute to vulnerability to trafficking (especially gender conceptions) and types of trafficking in boys and document victims' experience of trafficking, return, rehabilitation and reintegration. The data collection was conducted in 12 provinces and cities of Viet Nam from October 2010 to January 2011.

A total of 82 boy victims were interviewed for the study. 285 adult respondents were also recruited, including parents, relatives, social workers and friends of the boys in order to get a full picture and deep understanding about the case of trafficking.

A number of boy victims of trafficking have been identified in the research

This research presents some preliminary evidence confirming that trafficking in boys does happen in Viet Nam, both domestically and internationally. Boys are trafficked for labour exploitation, street begging and vending, sex work and sexual exploitation, and adoption. Even though this research uncovered cases of trafficking in boys, in most research locations the official government record system and the local government reported no cases of trafficking in boys or no official statistics on trafficking in boys.

Poor understanding of local authorities and community on trafficking in boys

Local authorities had some awareness of human trafficking, but not yet a full and complete understanding of human trafficking, especially in boys. While staff of international and national non-governmental organizations (NGO) and central officials recognized the occurrence of internal trafficking, only some officials at grass root level stated that human trafficking included trafficking within the country (domestic trafficking) as well as cross-boarder. Many officials categorise cases of trafficking as cases of labour exploitation or as children working below the minimum age (under 15 years).

Similarly, the result of community awareness on trafficking in boys was found to be consistently low. In general, people recognized trafficking as an issue for women and girls but not for boys. Parents' and boys' knowledge on safe migration practises and awareness of trafficking as an issue for boys is also very poor. As such, children were poorly prepared before departure. Furthermore, the community the boys themselves are not fully aware of the exploitation. In many cases, people do not regard their situation as one of exploitations as long as they are getting paid. The interviewed families and children considered labour exploitation or deception as lesser offenses of "cheating" or "abuse" only.

Profile of boy victims of trafficking

The 82 assessed victims in 18 provinces are scattered all over Viet Nam, including 35 children from the north, 25 from central Viet Nam and 22 from the south. 61 cases were trafficked domestically and the remaining 21 cases were trafficked across international borders. China is the primary destination of most cross border victims (20 out of 21). Only one boy was found to be trafficked to Cambodia. Ho Chi Minh (HCM) City is the sole destination for domestic cases (54 cases in total).

Most of the victims (69) were from rural areas. Of the 82 identified victims, 27 cases were trafficked at the age of 16 to 18 years, 25 cases were trafficked at the age of 11 to 15 years, and 27 cases were under 6 years old. On average, the victims' families had 5.3 members per household, compared with an average of 3.8 members per in Viet Nam, according to the Census of Population and Housing Vietnam in 2009, undertaken by the General Statistic Office. Out of 82 former victims - most of who were under 18 years old at the time of trafficking - 22 victims are now over 18 years old, and four were married at the time of research. At the time of trafficking, none of the cases were married.

The vast majority of victims (59) belong to the Kinh ethnicity; with the remaining 23 boys belong to ethnic minorities. Most of the victims quit school before trafficking and only a small number of boys (4) were still studying at the same time as working as a sex worker. Most victims studied in secondary school by the time they left home. Excluding newborn and abducted cases, no cases had previous work experience and all were unemployed prior to migrating.

Recruitment methods, transportation and exploitation

The study assessed 82 boy victims among which were 30 cases of labour exploitation, 5 exploited as street vendors, 24 cases of sexual exploitation, 10 cases of abduction, 10 cases of newborn adoption and 3 cases with unknown purpose or "on the way to be trafficked".

Contributing factors to push boys into the migration process and to increase their vulnerability to being trafficked are: the need for income earning and lack of employment opportunities, lack of education opportunities, and lack of family support. In addition, parents and boys lack understanding on safe migration and trafficking in boys, as well as awareness of their rights, which allows the boys to fall into the trap of the traffickers. For abducted and newborn cases, multiple push factors, in terms of persistent gender inequality, can be considered major underlying causes of trafficking both domestically and internationally. These include gender discrimination, son preference, and the resultant unequal status of women and girls.

Most boys procured for labour and sexual exploitation are recruited with promises of a good job with a high salary through family or community (informal) networks. Conversely, traffickers abducting babies and children for adoption frequently used to control the adults, and sometime even killed the parents, before taking the child away from his family. Relatives or close family members are also used to cheat the abducted victims.

The abducted boys were generally transported via the public bus network. A woman who was already nursing a newborn usually accompanied trafficked newborns. International victims were lead to cross the border illegally, without any legal documents, accompanied by the brokers or traffickers.

Boy victims of trafficking for labour exploitation were trafficked both internationally and internally for work as beggars, in family run garment factories and in brick kilns. Most these boys worked six to seven days per week and more than eight hours per day. In some cases, the victims worked 12 to 16 hours per day. Some boys voluntarily accepted the situation, as long as salary was paid. The boys only consider themselves exploited if they were not paid for overtime. The working conditions were extremely hard, but none of the boys received any extra payment. A few children reported not being allowed to have lunch or only have limited time for and, and were only occasionally given an evening meal when working overtime. Most of the children slept on the floor where they worked.

Most of the boys trafficked for sexual exploitation had travelled to the cities on the promise of an as yet unidentified job. Boys were tricked and forced into sexual activities and then they were transferred or sold or introduced to sex work. All boy sex workers had to work 7 days per week and serve clients at any time. On average, each boy served upwards of 2 to 4 clients a day.

A range of violations - including physical violence, abuse, restricted freedom of movement, bonded labour, lack of payment, exploitative working and living condition – increases the risk of developing health problems and keeps many boys in trafficking situations.

Victims' experience of trafficking, return, rehabilitation and reintegration

The vast majority of boy victims were identified and rescued either by the government agencies (both trafficking and child protection agencies) or projects combating child labour. Only cases from Lao Cai (5) and Ha Giang (5) provinces were self- returned. Some boy victims reported that they were physically prevented from leaving by threats of violence or receiving no salary, incurred debt, their illegal status, and not knowing where to get help.

All rescued victims received funds to return home, such as travel costs and meals. The vast majority of domestic trafficking cases for labour exploitation were referred to the Social Protection Centre or the Youth Vocational Training Centre, while cross-border victims were referred to the Social Protection Centre and the Victim Reception and Assessment Centre. In these centres, the victims stay in a safe place and receive a health check up, counselling and meals before they return home.

All domestic cases from Hue received assistance for resuming school, such as school fees, books, an allowance and rice. Vocational training for child victims was also provided if the child was older than 16 years. Five cases from Lao Cai received a full package of assistance for returning trafficked persons, including funds for initial expenses and training on interpersonal communication skills, cultivation and cattle breeding. They also received psychological counselling, a health check-up and provision of voluntary testing for HIV. However, the types of vocational training and skills provided to them are not responsive to the market needs and participants are often unable to find a job even after receiving training. Most self-returnees received no support from the government agencies for initial expenses and challenges.

Gender issues

Boys are considered more adventurous and perceived themselves as stronger, braver and less at risk of being trafficked than girls. However, boys are not aware of their risks of being abused or exploited for sex or labour. These factors make boys vulnerable to exploitation and trafficking since they are more eager than girls to go out of their original community and to enter new areas without proper preparation. When boys are trafficked they bear less discrimination from community than trafficked girls because trafficking is still widely perceived as for sexual exploitation only, and boys are perceived as not being vulnerable to this type of exploitation.

Key conclusions

- Awareness of local authorities at grass root level and community on trafficking in boys, especially purpose of labour and sexual exploitation was low;
- Boys also face the risk of being exploited and trafficked. Trafficking in boys does happen in Viet Nam domestically and internationally. Boys are trafficked for labour exploitation, street begging and vending, sex work/ sexual exploitation and adoption;
- There are gaps in identification and provision of assistance to domestic victims in general and cross border self-returned victims, in terms of infrastructure, finance, training and resources for emergency referral.

To ensure that Viet Nam's legal, policy and institutional frameworks for human trafficking adequately address the particular situation and vulnerabilities of boy victims of trafficking, in addition to that of girls, women and men, the following recommendations were made:

Recommendations

- ***Strengthen communication and education programme to combat trafficking of human beings and promote safe migration:*** Campaigns in migration source communities designed to enable and promote safe migration. Awareness raising campaigns should avoid using the term 'trafficking' as it is widely misunderstood as mainly involving girls and cross-border movements. Safe migration to avoid being exploited for sex and labour should be the focus for families and boys – particularly those families with school leavers - from low socio-economic backgrounds and ethnic minority communities. There is a need to enable families and children understand their rights under the Labour Law and to understand the concept of gender equality. The provision of education and training for young people is needed in

addressing safe migration and trafficking. Ethnic-specific interventions/projects should be developed to address ethnic minority vulnerabilities both relating to migration and to other types of risk of being trafficked. Many women with unexpected pregnancies do not know where and how they can have the newborn adopted. Information and counselling on existing alternative options to legal adoption should be more readily available in hospitals.

- **Strengthen education and enhance enforcement of the new Law on Prevention, Suppression against Human Trafficking:** More communication needed with government officials so they can better understand the purpose of trafficking, taking into account all types of exploitation which affect domestic cases in general and boys in particular. Regular monitoring of Labour Law requirements in known destinations needs to take place to ensure children are not being exploited. There should be a standardized data set collected on each case that is made available to all relevant agencies. Roles and responsibilities need to be made clear.
- **Strengthen the child protection system at the place of destination:** The involvement of the community to monitor and identify cases of child labourers and of labour exploitation, such as the children being exploited in the family run garment factories and in other factories, is essential. Stricter monitoring should be in place to identify and rescue trafficked children in general and newborn boys in particular.
- **Develop return and reintegration program and services that address the needs of trafficked boys:** A thorough needs assessment should be provided in each returned case, and referrals provided to suitable services in order to ensure that support for trafficked boys is tailored to their needs. Policies on assistance for self-returned victims also need to be developed. Staff who are involved in return and reintegration of trafficked in boys require training on sensitive cultural and psychological issues relating to boy victims, in order to develop their skills to better respond to boys needs. An easily accessible and rapid method to access support, rescue and referrals for victims – such as a helpline - should be developed. Information about this helpline should be widely communicated so people and children know and remember the number. The helpline should be suitably resourced and networked in order to be able to provide rapid support and referral to victims as needed.
- **Develop programme to address HIV and sexually transmitted infections, drug misuse and addiction among male sex workers:** Target male sex workers, especially young men and boys, possibly through peer education programs, to enhance their understanding of HIV, sexually transmitted infections, and drug misuse and addiction services. The out-reach of voluntary counselling and testing services and sexually transmitted infection treatment needs to be increased to reach and cover the male sex workers, especially those that find themselves in exploitative conditions.
- **Areas for further research:** Research with more representative sampling of those who have been trafficked for sexual exploitation is needed in order to better understand the issue. More in-depth research is needed to better understand the reasons and causes that push boys and young men into sex work. This research did not have control groups of non-trafficked migrant boys or non-migrant boys, to respectively compare push factors and the (perceived) socio-economic status with those of trafficked boys. More research should be conducted in this area. In addition, further research is needed among ethnic minority groups and attention should be paid to not target these communities as a homogeneous group, but on an ethnicity-by-ethnicity basis. Further review and analysis of laws, policies and regulations related to child trafficking is required in order to develop recommendations on policy development and enhancement for better identification, management and support of cases of trafficking which are not covered under current policies.

I. INTRODUCTION

The 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (hereinafter called Palermo Protocol) states that *'a child has been trafficked if he or she has been recruited, moved or received for the purpose of exploitation'*. Unlike the definition of trafficking in adults, it does not matter if force or coercion has been used to traffic a child. This reflects the differences between children's and adults' vulnerability to trafficking. Additionally, the dynamics as well as the purposes of trafficking can differ greatly between children and adults. Despite this fact, little research has focused specifically on the trafficking of children. Much of the data and research available on human trafficking does not distinguish between children and adults, let alone boys and girls. Rather women, boys and girls are often grouped together, aggregated into the phrase of "women and children," which does a disservice to each.

1.1: Literature review

As reported by the Ministry of Public Security (MOPS, 2007) of Viet Nam, women and children are mainly trafficked to China and Cambodia. Some other trafficked persons are sold to third countries such as Thailand or Malaysia (Thanh Nien News, 2007). A research conducted by the MOPS confirmed *"traffickers usually start their first actions with directly enticing the victims or through the victim's family or relatives with prospects of a permanent highly-paid job in the city or marriage to a wealthy foreigner. Rural women and children who are in financial difficulties and seeking jobs to improve income are the targets. Trafficking may also take the form of tourist trips, labour export, marriage or adoption to foreigners. The victims or their family are usually paid an advanced amount, which makes it easier for the traffickers to control them. In urban areas, traffickers often approach young women who need jobs and promise them a job in the field of entertainment and tourism on the other side of the border, and when the victims passed the border, they are sold to Vietnamese or foreigner mediators and these people, in their turn, sell the trafficked girls to brothels or to local people as forced wives or domestic helpers"* (2004).

Besides the MOPS report which provided information on trafficking of women and children across borders, research by the International Labour Organization (ILO) in Lao Cai (2009) also confirms that low skill migrants determined to find higher paying job opportunities across the border have been lured to be sold or forced into illegal, exploitative or hazardous work.

While report on domestic human trafficking is not available from different Vietnamese government organizations, within the country, Rushing found that young women have been tricked into leaving their home by friend, villager or intermediary for a service job and find themselves lured into selling sex (no date). The United States Department of the 2010 Trafficking in Persons Report reported that Vietnam is a source "country for men, women and children subjected to sex trafficking and conditions of forced labour. On trafficking of children, it states, *"some Vietnamese children are trafficked internally and also abroad for forced labour."* This report also mentioned that *"some Vietnamese children from rural areas are subjected to commercial sexual exploitation, forced street hawking, and forced begging in the major urban centres of Viet Nam, and some Vietnamese children are victims of forced and bonded labour in urban family-run house factories"*, (The United States of America's Department of State, 2010).

Several research reports on trafficking in women and children can be found from different regions in the world as well as in Viet Nam. Very little research, however, on trafficking of men can be found globally. To date, no research on trafficking of men and boys has been conducted in Viet Nam. Research exists on trafficking of men in southeastern Europe, in particular in Belarus and Ukraine (IOM, 2008) that found male victims accounting for 28.3 per cent and 17.6 per cent, respectively, of the International Organization for Migration's (IOM) assisted caseload between 2004 and 2006. This research also showed that the majority of trafficked persons were adults between 18 and 44 years. In the Greater Mekong Sub-region, research revealed that men were trafficked for construction and

farm work in Thailand (Surtees, 2008). UNICEF reported that the number of boys trafficked both for sexual and labour purposes is increasing in Southeast Asia (2009). However, scientific research focusing on trafficked boys or men in Viet Nam is non-existent. Anecdotal evidence in newspapers articles and journals uncovered cases of trafficking in boys. For trafficking in boys, it seems that the literature reviewed provides information that boys were trafficking for the purposes of: 1) Labour exploitation; 2) Street begging and vending; 3) Sex work/Sexual exploitation; and 4) Baby adoption.

Labour exploitation

Evidence exists that Vietnamese boys are not only trafficked internally and into neighbouring countries, but also globally. Vietnamese child victims of trafficking made up 58 among 287 children who were identified as victims or potential victims of trafficking to the United Kingdom (UK) ranking highest among the 47 countries of origin. Most of the Vietnamese cases (37) were found working in cannabis farms, while only three boys were exploited for street crime and four girls were exploited for labour purposes (nail bars). Most of the victims were trafficked overland from Viet Nam by lorry and entered the UK via seaport. Among 58 cases of Vietnamese victims 74 per cent (43) were boys (CEOP, 2010). Anecdotal evidence suggests that boys are also trafficked to China to work in brick kilns (Viet Nam Net, 2007).

Domestically, although it has not been officially recognized as trafficking, boys have been persuaded to migrate and then face labour exploitation such as in gold mining in Quang Nam where boys had to work under slave-like conditions (Viet Nam Net, 2008). Newspapers also reported boys working in the small private or family run garment factories in Ho Chi Minh (HCM) City were also exploited, having to work long hour from 6 am till 11 pm every day (Thanh Nien News, 2008).

Street begging/ vending

Several newspaper articles mention both boys and girls being forced into begging. Police in Hanoi uncovered two cases in June 2008 (Vnexpress, 2008). Twenty-one children and old people who had been forced to beg were uncovered in 2007 in HCM City tourist hot spots. (Viet Nam Net, 2007) Similar cases were found in Binh Duong and in HCM City in 2008, when children were bought then forced to work as beggars for long hours to get money for their “owners”. It is reported that children who failed to meet earning quotas were beaten. The issue of forced child beggars was discussed widely in many newspapers in 2008 (Viet Nam Net, 2007; Nguoi lao dong online, 2008). IOM research on the trafficking situation in Thanh Hoa in 2009 also reported that some children from Quang Xuong, Thanh Hoa have been forced to work as beggars in HCM City (Viet Nam Women’s Union and IOM, 2010).

The IOM’s study “Migration and Trafficking from Svay Rieng Province, Cambodia to Viet Nam for Begging” (2004) reported that traffickers use titles like aunt, uncle, brother, sister, cousin and grandmother even if they are not “really linked by blood or marriage” to force, or “rent” children from Cambodia to Thailand or Viet Nam for the purpose of begging and vending. This happens particularly with young or handicapped children, women with babies and elderly people who are recruited to sell flowers, candy or lottery tickets.

Sex work/ sexual exploitation

Vietnamese women represent the second major group of sex workers in Cambodia, but men and boys are also involved (Derks.et al, 2006). While trafficking in boys for sexual exploitation has been documented in neighbouring countries such as Cambodia, this is not the case in Viet Nam. Hilton reports that in Cambodia *“The sexual exploitation of boys, while not as widespread as that of girls in the region, is still a problem that is legally and socially unrecognized in some countries. Boys are perceived as not possessing virginity and ‘honour’ that can be lost, meaning that their experiences are often not considered to be harmful or taken seriously. Boys are expected to be able to protect themselves and/or overcome it very quickly, while the importance placed upon virginity and honour in relation to girls and women ensures that boys who are victims suffer in comparison”* (2008). This research on sexual abuse and exploitation of boys in Cambodia also revealed that *“girls are known to be high risk but that lack of awareness results in abuse of boys being more hidden... Less is known*

about sexual abuse of boys by local perpetrators; boys are often reluctant to talk about it, and staff rarely ask... Cultural beliefs relating to gender identity, masculinity and expression of feelings also contribute to their difficulties” (Hilton, 2008).

Information about sex work involving boys in Viet Nam is almost non-existent; the ILO rapid assessment found a small number of cases (5) in HCM City in the busy tourist areas (Le, 2008). This assessment also identified contributing factors such as poverty and debt bondage. Children who want to help parents out of poverty and debt had left home to find work in the cities then voluntarily engage in or were forced to be sex workers (Le, 2008).

Baby adoption

Reports indicated that babies are being trafficked both to and within China for adoption; the reasons lie within cultural son-preference, amplified by China’s one-child policy (ILO, 2002; MOPS, 2010; UNICEF, 2009). Boys are trafficked from Viet Nam to China for illegal adoption (UNICEF, 2009). Articles in newspapers reported parents in Ha Giang province selling their children to China (TTXVN, 2008). Fathers were found to have sold their babies for adoption and newborn babies were trafficked through the Viet Nam – China border (ABC News, 2008).

1.2: Law and Policy on Human Trafficking

National Plan of Action

At the turn of the millennium, the Vietnamese government recognized trafficking of women and children and substantial action has been taken since. In 2004, the Prime Minister of Viet Nam approved the “National Plan of Action to combat trafficking in women and children during the period of 2004-2010 of the Government” (NPA) under the Decision No. 130/2004/QD-TTg (hereinafter called the Programme 130/CP). However, in a five-year assessment of anti-trafficking measures by international organizations, it was found that the NPA was still limited in its scope: it only addressed cross-border trafficking in women and children and neglected both internal trafficking and the trafficking of men (UNIAP, 2009).

Penal Code

In 2010, the Vietnamese government amended their penal code regarding trafficking to encompass all individuals as “human beings,” and not just “women and children” (see details in Appendix 1). However, while under the United Nations (UN) Convention for the Rights of the Child (CRC) as well as in the Palermo Protocol, a child is a person under the age of 18 years, according to the Vietnamese Law on Protection, Care and Education for Children, a child is a person under the age of 16 years. Therefore, only cases of trafficking involving a person under 16 years old will be considered as case of trafficking of a child in Viet Nam.

Until January 2010, the definition of trafficking was regarded as affecting only women and children. According to the provision of Resolution 04 of the Council of Magistracy “trafficking in children is understood to include the actions of buying or selling children for purposes of self-profit”. In practice, proving of the factor of “self profit” is not easy (MOJ, 2008). It is very difficult to obtain the evidence confirming the selling or buying since the traffickers seldom undertake this action in front of the victims. According to the current Penal code, whether the victim was at the risk of being abused or exploited is not taken into account in condemnation (MOJ, 2008). According to international law, child trafficking is a crime involving the movement of children for the purpose of their exploitation. *“A child has been trafficked if he or she has been moved within a country, or across borders, whether by force or not, with the purpose of exploiting the child.”¹*

The lack of taking the purpose of trafficking into consideration as well as focusing on the “buying and selling” act remains a barrier to the reporting of child trafficking in Viet Nam.

Law on Prevention, Suppression against Human Trafficking

In Vietnam, current legal documents use the term “*mua bán người*” / buying and selling person for “trafficking” / *buôn bán người*.

The Law on Prevention and Suppression of Human Trafficking, approved by the Viet Nam National Assembly on 29 March 2011, does not define the term “trafficking” but in Article 2 “Explanation of terminology” and in Article 3 “prohibition of acts” have listed “selling, transfer, recruitment... for purpose of sexual exploitation, forced labour...” and explained as typical acts that directly referred to someone being found guilty of the crime of “trafficking of person”.

In the past, according to resolution No. 04/HĐTP, the Judicial Committee of the Supreme Court which provide guidance for Penal Code 1985, child trafficking is understood as “the act of buying and selling children for purpose of self benefit including of buying from the kidnappers or the parents”

In the course of combating, investigation and trial for the crime of trafficking of women and children was understood as the transfer of women and children from a person or a group of people to another person or group of people to exchange for money or other kinds of benefits. This is the most common understanding of the term of “trafficking of women and children/ *mua bán phụ nữ, trẻ em*” in Vietnam. The current working practice of the prosecution, Public Security (PS) and Procuracy Task Force is based predominantly on the Penal Code. As such, in order to have the Law on Prevention and Suppression of Human Trafficking come into effect, guidelines and coordination are needed for effective implementation.

Trafficking in children for adoption

Trafficking in children for adoption is not addressed within the Palermo Protocol and is not well developed conceptually in the literature or in national laws (Surtees, 2008: 102). According to Smolin’s review, the primary international document directly addressing inter-country adoption as a form of child trafficking is the optional protocol (OP)-CRC. The OP-CRC defines the “sale of children” as “any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration”. Although there is no separate definition of “child trafficking,” the term presumably would include any illicit sale of a child, particularly where the child is moved geographically (2004). Thus, as a matter of international law, inter-country adoption constitutes illicit child selling and child trafficking where an intermediary induces consent to adoption in violation of the standards of the Hague Convention and when the child is transferred for remuneration (Smolin, 2004). It is clear that adoption – whether legal or illegal - is child trafficking when someone makes a profit from it.

Policies on return and reintegration

Decision No.17/2007/QĐ-TTg dated 29 Jan 2007, issued by the Prime Minister (hereinafter called Decision 17) regulates that the reception of and support for trafficked women and children returning from abroad includes:

Psychological-social support for the returned victims of trafficking, including providing consultation to the returnees for their psychological stability at the time of return and during the time of community reintegration.

Legal aid: Returned victims are supported in obtaining permanent residence registration and household certificate, identification cards, and birth certificates for their children.

Education and vocational training support: Support of education, vocational training and financial difficulties for returned victims are described in detailed in Appendix 2.

According to Decision 19 issued on 2004 by the Prime Minister,² if children (under 16 years old) are street children, sexually abused children and children engaged in heavy and dangerous work, they will receive the same type of support from the Ministry of Labour Invalids and Social Affairs (MOLISA) for return and reintegration into their community.

Under Decision 17, Social Protection Centres established under the MOLISA system are used to receive and take initial care of victims returned from foreign countries. The reception centres at the

border check posts of the border guards also provide accommodation for temporary stays for victims when they are released. According to UNODC, there are over 100 Social Protection Centres in Viet Nam, but only a few at the border areas have room for victims of trafficking in general (UNODC, 2009).³

The “abroad” element in the identification of victims:

According to the guidelines on the procedures of identification and reception of trafficked women and children returning from abroad, only cases involving cross-border movements qualify as case of human trafficking (attachment of inter-ministerial Circular No. 3/2008 issued on May 8th 2008 by MOPS, Ministry of National Defence, Ministry of Foreign Affairs and MOLISA). There are no guidelines or regulations for reception and support policies for those trafficking victims who were trafficked domestically or were deceived for purposes of cross-border trafficking but freed when they were still in Viet Nam. This severely restricts which victims of trafficking may receive assistance and support in their community reintegration.

II. RATIONALE AND RESEARCH OBJECTIVES

2.1: Rationale for Research

Under the three-year Joint Programme (JP) on Gender Equality, twelve UN agencies and programmes⁴ in partnership with the Government of Viet Nam, provide strategic, coordinated and multi-sectoral technical assistance to build the capacity of national and provincial duty bearers so that they can better implement, monitor, evaluate and report on the Law on Gender Equality and the Law on Domestic Violence Prevention and Control from 2009-2011.

Joint outcome 3.3 of the JP refers to ‘data and information collection to promote national gender equality policy dialogues for marginalized groups’. The General Statistics Office (GSO), with technical assistance from IOM,⁵ contributes to the achievement of this outcome through the assessment on trafficking of boys to raise awareness, fill current research gaps and advocate for improved trafficking policies.

The present research intends to collect initial information on boys who have been trafficked for various purposes. As outlined before, studies, anecdotal evidence and media reports indicate that boys are trafficked in or from Viet Nam for sex and adoption as well as forced labour, such as in brick kilns. By compiling evidence of these occurrences, this research aims to investigate the situation of trafficking in boys as well as understanding why it may be viewed and treated differently to that of girls.

2.2: Goal and Objectives

The goal of this research is to contribute to the broader objective of ensuring that the particular situation and vulnerabilities of boy victims of human trafficking is adequately addressed in Viet Nam’s legal, policy and institutional frameworks relating to human trafficking and the NPA.

To this end, the research will accomplish the following:

- Assess local authorities’ awareness of and practices to address trafficking in boys;
- Assess community awareness of trafficking in boys;
- Identify forms of trafficking in boys including the ways in which boys are recruited or forced into a situation of trafficking;
- Identify factors that contribute to vulnerability to trafficking (especially gender conceptions);
- Identify types of trafficking in boys;
- Document victims’ experience of trafficking, return, rehabilitation and reintegration.

III. RESEARCH METHODOLOGY

3.1: Definitions

Children:

The CRC defines children as every human being below the age of 18 years unless the law defines differently. In Viet Nam, Article 1 in Law on Child Care, Protection and Education defines that Children are Vietnamese citizen under 16 years old. For the purpose of this study the CRC definition of a child was used as it is in line with the UN's protocol.⁶ Selection of respondents who are or have been victims of trafficking will be based on their age at time of the trafficking (that is under 18 years).

Human Trafficking and Child Trafficking:

The definition of trafficking of children used in this report follows the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children of 2000⁷ (Palermo Protocol) which states:

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

(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;

(c) *The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;*

(d) *"Child" shall mean any person less than eighteen years of age.*

Under the Palermo Protocol, *a child has been trafficked if he or she has been moved within a country, or across borders, whether by force or not, with the purpose of exploiting the child.*⁸

TABLE 1: SUMMARY OF HUMAN TRAFFICKING DEFINITIONS

Acts	Means	Purpose	
<p><i>Carried out each of the following acts:</i></p> <ul style="list-style-type: none"> - recruitment - transportation - transfer - harbouring - receipt of a person 	<ul style="list-style-type: none"> - Threats - use of force - coercion - abduction - fraud - deception - abuse of power - the giving or receiving of payments or benefits 	<p><i>Exploitation shall include:</i></p> <ul style="list-style-type: none"> - forced labour or services, slavery or servitude - the removal of organs - other forms of sexual exploitation 	HUMAN TRAFFICKING
<p><i>Carried out each of the following acts:</i></p> <ul style="list-style-type: none"> - recruitment - transportation - transfer - harbouring - receipt of a person 		<p><i>Exploitation shall include:</i></p> <ul style="list-style-type: none"> - forced labour or services, slavery or servitude - the removal of organs - other forms of sexual exploitation 	CHILD TRAFFICKING

The Palermo Protocol notes that other kinds of exploitation are also included, such as labour exploitation or child labour.

Child labour:

In this research, child labour includes all types of work that exploits a child. It also will be understood as the state of children directly or indirectly involved in heavy, hazardous and dangerous work, which is likely to be harmful to the physical, mental, spiritual, moral and social development of children; or having to work at below the minimum age for work (under 16 years),⁹ which deprives their childhood, opportunities and time necessary for study, recreation and entertainment.¹⁰ Details of the definition of labour exploitation of children are given in Appendix 3.

Migration and safe migration

According to migration glossary of the IOM, migration and safe migration were defined as¹¹:

Migrant is usually understood to cover all cases where the decision to migrate is taken freely by the individual concerned for reasons of “personal convenience” and without intervention of an external compelling factor. This term therefore applies to persons, and family members, moving to another country or region to better their material or social conditions and improve the prospect for themselves or their family.

Safe migration is a process and outcome of internal and international movement guided by informed decision making and resulting in reduced risk and exploitation.

<i>SAFE MIGRATION¹²</i>		
<i>Before migration</i>	<i>During migration:</i>	<i>At a destination place:</i>
- Had a plan and preparedness	- Always bringing personal documents with them	- Inform the new address of destination to family members;
- Had sufficiently accurate information on destination place	- Being cautious with commitments	- Registration;
- Understood necessary information such as Labour law, labour contract, benefits and responsibilities as well as required necessary skills at destination	- Not bringing excessive money to avoid robbery or deceit	- Discuss and agree on labour contract and working condition in order to sign a labour contract.
- Aware of risk factors at place of transfer transfer as well as destination, and how to seek support, if needed. +	- Bringing a trusted support address with them	+

3.2: Research locations

The field research was conducted in cities and provinces where evidence of trafficking and/or exploitation is available, such as destination areas for migrants and trafficking victims, the main source provinces for migrants, and border provinces , which report a high number of returning, trafficked persons.

The following 12 provinces and cities were included in the study:

- Destination areas: Hanoi and HCM City;
- Area of origin of trafficking and migration: Bac Giang, Thanh Hoa, Nghe An and Hue and Can Tho;
- Border provinces with record of transit and return of trafficking in boys: Quang Ninh, Lang Son, Lao Cai, Ha Giang and An Giang.

3.3: Research target groups

As there is very little knowledge on trafficking in boys, the research takes on an exploratory character to investigate the topic as well as advance better understanding why it may be viewed and treated differently to trafficking in girls. Hence, a variety of target groups ranging from the community level to national level, including government staff, staff of non-governmental organization (NGO) and international organizations, community members as well as boy victims were recruited to allow an insight into the real and perceived situation of trafficking in boys.

Target groups for general information and assessment of the level of awareness at National, Provincial and District Level:

- Representative of Public Security (PS), Border Guard, Women’s Union (WU), MOLISA, Ministry of Justice (MOJ);
- Staff of international NGO and Vietnamese NGOs working in the field of human trafficking;
- Social workers, Social Protection Centres, Victim Reception and Assessment Centres, Shelters and Children Protection and Care Organizations/Centres.

Target groups for assessment of awareness at community level:

- Community population and male migrant children;

- Local commune authorities and members of community organizations, PS, Department of Labour Invalids and Social Affairs (DOLISA), Justice officials, Department of Training and Education (DOTE), WU, Youth's Union (YU);
- Social workers, members and staff of social and children protection and care organizations.

Target groups for assessment of the conditions and experiences of child trafficking and exploitation:

- Male victims who at time of their trafficking and/or exploitation were children (under 18 years);
- Siblings, parents or family members of boy victims of trafficking who know about their experiences;
- Authorities and community members who have substantive knowledge of particular cases of trafficking and/or exploitation of boys.

3.4: Research team

A national team from the Community Health Development Consulting Joint Stock Company (CHDC, JSC) - which has in-depth understanding in trafficking in humans in general and trafficking in children and boys in particular – conducted this research (see the detailed list of the research team in Appendix 4). The research team also has extensive interview skills and understanding of victim protection and ethical issues in working with children. Three officers from the IOM, two senior officers and leader from the Department of Social and Environmental Statistics of the GSO were responsible for working with the team to provide technical and logistic support for the research. An international consultant provided technical support to the research team from the design of the protocol, analysis of findings and comments on the draft report. The data collection was conducted from October 2010 to January 2011.

3.5: Methodology

To advance this exploratory research, various methods were used including a desk review, focus group discussions (FGD) and in-depth interviews (IDI).

Participants were selected through a combination of various sampling methods such as convenience, purposive and snowball sampling, depending on the informant group:

- Purposive and convenience samplings were applied to selected participants from communities such as friends, supporters, parents of the victims, commune members and local authorities and members of government organizations. These sampling methods allow the researchers to select the informants who have the closest relationship, knowledge and understanding of the issues and situation of the boy victims, who can help the researchers to contact and interview the victims.
- Snowball sampling (one respondent leads to other) was applied to recruit victims to get the maximum number of boy victims.

In the first round, in collaboration with IOM and GSO, the research team identified, contacted and conducted IDIs and FGDs with key stakeholders and informants, NGOs, local organizations, social workers and others who are supporting victims of trafficking, sexual exploitation and child abuse in each research location who can help to identify subjects of the research as well as to connect the research team with these individuals.

All the potential subjects identified from the first round were considered for the second round but only those likely to provide additional information were selected. The research team also interviewed family and friends of the victims in order to reach the boy victims. Once the victim was identified and agrees to be interviewed, snowball sampling was used to identify further victims.

Criteria for selecting participants

The boy victims of trafficking are selected based on the following criteria:

- The definition of trafficking of children;

- ***A male child under at the age 18*** at the time of trafficking; and ***a male child that is at least 10 years old and under at the age of 25 at the point of time of interview.***¹³

See Appendix 5 for further details of selection criteria. A total of 82 boy victims were covered in this study. The cases were chosen to depict different types of trafficking and exploitation. 70 adult respondents were also recruited, including parents, relatives, teachers and friends of the boy victims in order to get a full picture and deeper understanding about the individual cases.

Inclusion of data

Some interviewed cases were not included in the dataset for the following reasons:

- The boys were over 18 at the time of trafficking, there was insufficient information given, or the case was not deemed as a trafficking case (legal adoption).

Twenty two FGDs and 214 IDIs were conducted with different respondents, including community members, migrant children, leaders and members of programs combating human trafficking from commune to provincial level, People's Committee (PC), DOPS, DOLISA, DOET, WU, YU and representatives from social organizations and Social Protection Centres and Victim Reception and Assessment Centres as well as staff from NGOs and UN at the central level.

The following Table 2 shows the different methods used with specific target groups and at all levels.

TABLE 2: SUMMARY OF IDIs AND FGDs AT STUDY AREAS

Summary of IDIs and FGDs at study areas					
Level	IDIs	No of Person	FGDs	No	Person
	Agencies/organizations		Agencies/organizations		
Central – Hanoi	NGOs and UNs	7		0	
	Government Officials	15		0	
	Service Providers	3		0	
Province	NGOs	8	Government Officials, including border Guard Force, Public Security and social workers	5	37
	Government Officials	28		0	
	Service Providers	15		0	
District	Government Officials	2	Government Officials, including border Guard Force, Public Security and social workers	3	29
Commune	Government Officials	2	Government Officials, including border Guard Command, Public Security and social workers	4	24
	Service Providers	0	Community group	5	30
	Parents/Relatives Friends	52		0	
	Boy victims	82	High-risk children/Migrant Children group	5	33
Total	Person:	214	Total FGD:	22	153

3.6: Research Tools

Research tools include:

- IDI guide for parents, relatives, neighbours/ community members or friends of trafficked boys
- IDI guide for government officials and NGOs staff;
- IDI guide for support service-providers, children organizations and social workers;
- IDI guide for the boys who are or could be victims of trafficking and exploitation;
- FGD guide with the representatives of local authorities, government organizations and NGO etc.;
- FGD guide with community members.

The researchers were trained in research protocol and methodology, including the tools, tips for interviewing trafficked boys and ethical research skills. After the first week of interviewing with NGOs, government officials and victims, the research tools were refined. The tools were designed as

a checklist/questionnaire format so that interviewers were able to review after each interview to identify gap or any further information that they need to follow up on.

3.7: Data processing and analysis

With agreement from the respondent, the IDIs and FGDs were digitally recorded. The recordings were transcribed. The data was stored in the Microsoft Word format. The information from trafficking cases was manually placed on the topic list template by the research team and analysed thematically. Background data of the profile of boy victims was entered and analysed using SPSS software.

3.8: Limitations

As described above, there is not much known about trafficking in boys in Viet Nam and this is the first scientifically conducted research on this topic. Purposive and convenience samplings were applied to selected participants from members of government organizations. These sampling maybe biased as those that know most on trafficking (have recently attended trainings/conferences) might have been more likely to be selected and thus not representative of government officials in general. In addition, community representatives and migrant male children were selected from communities known to have had cases of trafficking and, as such, their knowledge and practices assessment on the situation of trafficking in boys may be better than that of non-trafficking communities.

Snowball sampling was applied to recruit victims to get the maximum number of the boy victims. However, this method is harder to implement than with other study populations, as there might be a limited network between those boys, and increasingly limited the younger they are. Only three boys were found through snowball sampling in Thanh Hoa and HCM City.

There is difference in the definition of the term “trafficking” (Palermo protocol) and the Penal code, and the new Law on Trafficking Compression and Combating has not been updated. In addition, the term “trafficking in persons” in Vietnamese means “selling and buying”, indicating that trafficking relates only to the buying and selling of people. Other definitions of trafficking include a much more diverse and comprehensive collection of acts including slavery or exploitation (UNODC, 2009). The earlier program on combating trafficking mainly targeted women and children. Vietnamese laws define a child as a person under 16 years old. Due to differences in terms of definition and age limits it was very difficult for the research team to identify boy victims who had suffered under different types of exploitation.

As the research aims to be exploratory, not representative, the research team tried to cover different cases of exploitation. To this end, the initial research scope of five provinces was extended to cover 12 provinces. However, the collected dataset were also dependent on the submission of the data or sources from the relevant interviewed agencies for tracking down the boy victims within a short timeframe. This together with financial and time constraints limited the number of boys reached and the number of second interviews. In some cases, it was impossible to collect further information from victims as either no contact information existed, the detailed address of the destination area was not known to the parents or the boy could not be contacted through his cell phone (some young people change their phone number regularly). As such, some aspects of the study were not analysed as in-depth as intended.

The researchers were also unable to conduct the research abroad. Therefore the research team could not follow up some detected cases of boys that have been trafficked internationally, such as to China or the United Kingdom.

Another obstacle in obtaining information from the returned victims at the places of origin was that some victims migrated again and work elsewhere and could thus not return during the study period (5 cases). The research team interviewed their parents as proxy respondents, however the information obtained from the parents may not provide the full picture of the child and/or in-depth understanding, as the child sometimes did not share a whole and/or detailed story with their parents.

Specific limitations were encountered when dealing with cases of newborn adoption as well as abduction that qualify as trafficking. Interviewing both birth parents and adopted parents related to newborn adoption cases was not possible. The research team was often unable to contact the biological or adopted parents due to either being provided with incorrect addresses of the biological parents, or the unwillingness of the adopted parents to be contacted further in order to protect their child and/or avoid prosecution, in the case of illegal adoption. In addition, information such as social background and economic status collected from the social workers or police may be subjective and insufficient due to different data collection methods of social workers, police and the research team.

In the case of boys being trafficked for sexual exploitation, the research team was confronted with further difficulties. Most of the interviewed boy victims of trafficking still work as sex workers. Sex work is illegal in Viet Nam thus the boys were more cautious than other target groups. Additionally, the research team refrained from contacting parents or friends to ensure the boy's safety and avoid stigmatisation. The research team resorted to interviewing the peer educators, where they exist, instead.

Two cases of trafficked boy and one case of adoption were excluded from the dataset due to insufficient and/or non-verifiable information. A large number of detected cases of trafficking in newborns to China (30 cases, with most newborns being boys¹⁴) was excluded from the analysis of the dataset because no detailed background information was available due to the fact that related data was not available as it concerns an on-going investigation and the trafficker had not yet been apprehended at the time of research.

As an exploratory research, most cases were identified through Social Protection Centres or Victim Reception and Assessment Centres or the DOLISAs. As such, identified and assisted cases represent the large majority of cases accessed for this research. Due to the selection method it is likely that the team interviewed a disproportional number of boys that have been identified and received some form of support. It can be presumed that this still represents a minority and that most cases remain undetected and unassisted. The results of this study may not be representative for victims that have not received any assistance. However, it is interesting to assess available support for boy victims of trafficking based on the experiences of the boys that have benefited from it. Additionally, the research team could only access one project providing official support to boys trafficked domestically and not internationally.

3.9: Ethical consideration

A document briefly describing the research project was shared with the participants. The document also provides contact details of IOM staff for the interviewees to contact for any clarifications or complaints regarding the conduct of the research or to obtain further information. The conditions of the interview were also outlined on the brief: data remains anonymous and confidential, interview can be stopped at any moment, not all the questions need to be answered. Informed consent of boy victims was obtained before the interview and was verbally recorded. In every interview, the child was encouraged to ask questions for clarification and to ask to stop the interview at anytime they feel uncomfortable or reluctant to continue the interview.

Children under 16 years of age do not have the capacity to consent and a parent or guardian has to give consent on their behalf and must, at all times, represent the best interest of the child. In cases where the child lives in a child-headed household, or an adolescent has assumed the role of an adult, or in cases of unaccompanied minors or separated children, consent is obtained from the child. Consideration is also given to the child's age, mental and physical capacity, physical and psychological trauma and threats to the child. At any time during the interview, if the child become stressed, too emotional or needs assistance, a contacted social worker or children organization for counselling and support are available to provide support and counselling.

The research team had to ensure that they do no harm the target group, ensure safety and security and comfort, as well as privacy, confidentiality of the research participants. When interviewing the friends and parents of the victim, confidentiality had to be assured. Moreover, care was taken that

the interviews avoid asking questions relating to purpose, abuse and exploitation if that type of question might endanger the trafficked boy or increase the risk of stigma and discrimination for the boy. The interviews were conducted in a manner that respects the dignity and capacity as well as the privacy of the persons interviewed. The name and personal details of the interviewees are kept confidential: the interview recording was coded while the identification details were listed separately.

As described above, friends and the parents who have a close relationship with the boys present a very valuable source of information. However, confidentiality was ensured when these target groups were approached.

The names of agencies and the service providers involved in the research are not identified. The personal information such as names, dates of birth and locations have been removed.

IV. UNDERSTANDING AND AWARENESS OF LOCAL AUTHORITIES AND COMMUNITY ON TRAFFICKING IN BOYS

4.1: Status of trafficking in boys

In Viet Nam, most identified and assisted trafficking cases involve women and girls. As described above in the introduction, in recent years, there had been an increase in reports and anecdotal evidence showing that there is trafficking of males, especially boys trafficked internally and also abroad for sexual and labour exploitation. However, there is no official data on trafficking in boys published by the government.

The results of the FGDs and IDIs with staff from different departments and organizations showed that awareness of human trafficking exists, but it is usually seen as happening to women and girls. It was stated that trafficking in boys was rare and less common than that in women and girls and that the purposes for trafficking of boys were still unknown. In the existing reporting and recording system, it is requested to report the number of trafficked women and children (boys and girls are often grouped together), aggregated into the phrase of “women and children.” Most of the leaders and local government staff in the research sites reported no case of human trafficking in boys and no official statistics of the cases were found in the localities.

“In Viet Nam, there are cases of human trafficking and exploitation in boys, but not many. Based on the reported statistics, prevalence of human trafficking in boys is not so high or frequent as in women and girls”

(IDI, male, provincial border guard in Ha Giang)

This is consistent with the national data from Program 130/CP, in which most of the reported trafficking cases are women and girls.

According to the few data available on human trafficking in boys found in the surveyed localities, trafficking in boys became an increasingly recognised problem in recent years. In Lao Cai province (a border province), five cases of human trafficking in boys and young men to China were officially detected.¹⁵ In Hue province, 25 rescued boy victims trafficked internally for labour exploitation were reported.¹⁶ Nine boy victims trafficked for labour exploitation from Nghe An (6 cases), Bac Giang (1 case) and Vung Tau (1 case) were rescued and assisted.¹⁷ In addition, 16 boy victims who were from one district of Thanh Hoa province and had been trafficked for begging were detected and rescued by the district police in HCM City.

According to unofficial data provided by police in Hanoi, 30 cases of infants being trafficked to China were detected in 2008, the victims being mainly boys. In 2010, ten cases of trafficked newborn boys were sold for illegal adoption domestically and internationally.¹⁸ In Ha Giang province (a border province), young boys, aged from 6 months to 7 years, were abducted and sent to China. From 2008 to 2010, a total of 52 identified and rescued trafficking cases in boys and young men were reported in Ha Giang.¹⁹ These numbers only reflect the officially identified and rescued victims. It can be presumed that they represent a small minority in the studied areas and elsewhere in the country.

Given the lack of officially reported cases of trafficked boys, the understanding and awareness of both local authorities and community members described below is low.

4.2: Understanding and awareness of local authorities

Understanding of the definition of human trafficking (Palermo Protocol)

Since most interviewees who worked in NGOs or officials of departments at the central level and provincial level have participated in international seminars or workshops on anti-human trafficking at the central level, they were aware of the Palermo protocol. However, the interviewed individuals may not be representative of government officials in general and not even of government officials working on anti-human trafficking due to a possible bias to send well-informed officials to the interview.

The definition was unknown to state officials at lower levels. When the research team described the definition, it was reported by some interviewees that the definition content was included in the “prohibited acts” of the Child Protection Care and Education Laws.²⁰ The lack of understanding of the Palermo Protocol is due to it not being reflected in both the Vietnamese Penal Code and the newly approved Law on Prevention **and** Suppression of Human Trafficking.

Understanding of human trafficking

Most of the interviewed staff working in the field of anti-human trafficking or child protection at provincial, district and commune levels show a certain understanding of human trafficking as stated in Article 119 and Article 120 of the Penal Code and applied the definitions in identifying victims of human trafficking. Some of the interviewed staff at the provincial level also mentioned that the definition of human trafficking stated in the newly approved Law on Prevention **and** Suppression of Human Trafficking,²¹ was a clearer definition: “**Human trafficking** refers to: Purchase and sale under the provisions of Article 119 and Article 120 of the Penal Code; transferring or receiving a person for sexual exploitation, forced labour, taking body parts or for other inhuman purposes; Recruitment, transporting, harbouring for sexual exploitation, forced labour, taking body parts or for other inhuman purposes, etc.” According to the informants, for both Viet Nam and international concepts, determining the behaviour of human trafficking consists of three elements, including **method, means and purpose**.

“Human trafficking includes all forms of transporting, harbouring, transferring or recruiting persons from place to place through methods such as coercion, deception, seduction. All forms for the purpose of sex and labour exploitation for self-profit are considered human trafficking”

(IDI, female, staff of NGO)

Whilst staff of INGOS and NGO recognized the occurrence of internal trafficking, only some officials at central, provincial and district levels stated that human trafficking did not mean only cross-border trafficking, but it included trafficking cases within the country (domestic trafficking).

“The current legal system (Penal code and the previous NPA) just addresses the cross-border trafficking rather than domestic trafficking. But available data revealed that domestic trafficking for purposes of sexual exploitation, forced labour in the gold and gems mining and ores occurs in Quang Nam, Thai Nguyen and Nghe An. It is obvious that this is labour exploitation. That is human trafficking”

(IDI, male, official at the central level)

Domestic trafficking is not mentioned in any current national legal documents, but was first reflected in the new NPA for 2011-2015, issued in August 2011. This change led to some difficulties for those in charge of identifying and providing assistance for victims of human trafficking, as well as in the determination of criminal charges. Therefore, most of the domestic cases for the purpose of labour exploitation were not treated as criminal offences but only as administrative sanctions. The interviewed officials in the localities with domestic trafficking did not consider those cases as

domestic trafficking for labour exploitation. According to them, those cases are: *“Requiring workers to work longer than the time agreed”*.

“I understood that child was only exploited but not trafficked since there is no money exchange or broker involved. In fact, the factory owner had a verbal contract with family but the owner asked the workers to work longer than the agreed working hours.”

(IDI, male, communal official receiving the boy victim No1, in Bac Giang)

A few informants do not even consider such working situations as “labour exploitation”. It is understandable, as current national guidelines do not define labour exploitation.

“In fact, the children dropped out of school. The [factory] owner brought them to the South to give them a job in order to have a bright future. As a result, there would be fewer social evils. The owner employed under-age workers and demanded overtime hours, but we call that child work rather than “labour exploitation” as it seems too serious. “

(IDI, male, provincial official from mass organization in Hue city)

Understanding of trafficking in boys

Staff of government bodies, NGO, international NGO or agencies at the central level were fully aware that for a child victim of human trafficking only two factors count: method and purpose. *“For the child, only harbouring, transporting or transferring for the purpose of exploitation without coercion or deception is also regarded as acts of child trafficking”*

(IDI, female, staff of NGO in Hanoi)

Most of the interviewed staff at the localities reported that human trafficking in boys did not occur, as there were no official reported data on boy trafficking. According to these respondents, boys were only exploited for labour or having to work at below the minimum age for work (under 15 years).

“All 11, including six girls returned from HCM City were not victims of trafficking. They just worked hard. In general, children working in family run garment factories have to obey the owner therefore they have to work overtime. Their living and working conditions are not as good as usual as the owner prioritised the financial benefits.”

(IDI, male, DOLISA official, Nghe An)

For the question: *“Is it a case of human trafficking if the employer recruits the child from his family and the family received some money in advance, then the child was taken somewhere without knowing what he would do...?”* Most of the respondents thought that this case was not human trafficking. The child just worked at a young age (below 15) to support his family. People see trafficking happened only if the child proved to be sold to the third person but not if the child worked for the factory owner who recruited it.

Only some respondents thought that this was a case of human trafficking. They explained that it could be considered as human trafficking as a cash transaction took place. The child had to work for the owner in order to pay the debt that his family received from the owner. And the purpose of the transaction was to exploit labour or force the child to do forbidden work.

“Some cases are not obvious but they are actually cases of trafficking in persons; for example, hiring children for begging on the street. This can be considered as trafficking for a certain period; they pay an amount to hire children for one or two years. During the time, they can force the children to beg on the streets for twelve hours a day. Children under 15 years of age are even forced to do forbidden work. When time of hiring is over, children are taken to their families and the families send the children to work again.”

(IDI, male, staff of DOLISA, HCM City)

Understanding of labour exploitation

Local leaders of mass organizations and other organizations in the survey locations said that it was common for boys to suffer from labour exploitation. But according to them, child abuse/forced labour was mainly found in big cities as destination, including Hanoi and HCM City, due to better job opportunities and higher incomes. They reported that most children who suffer from labour exploitation were from the provinces, mainly Thanh Hoa, Nghe An, Bac Giang and Hue. Children were mostly exploited in small family-run food processing and production factories or begging on the streets. They were usually forced to work for more than eight hours per day without receiving overtime payment.

“Due to the economic difficulties, some children of Quang Xuong district had to peddle books and magazines, polish shoes and even beg for money on the streets. These children are gathered by brokers in Hanoi and HCM City and organized to come down for begging. They are forced to beg for at least 200,000 – 300,000 VND per day. If they cannot earn enough money, they will be beaten.”

(FGD, district mass organizations, Thanh Hoa)

Some authorities report that most children who are recruited for labour exploitation are between 14 and 16 years of age. Some children under 10 years of age were recruited for specific work, such as begging or selling flowers or lottery tickets. Most of the children are from rural and mountainous areas where the economic conditions are difficult. They often have a low level of education with the majority stopping schooling at primary or lower secondary level, whilst others have never attended school.

Awareness and understanding of the root causes

According to most interviewed respondents, there are contributing causes for the incidence of human trafficking in boys such as economic difficulties, dropping out of school, demand for boys in China or local customs. The most common cause for children to leave home and to face the risk of being trafficked, as mentioned by official staff from mass organizations and other government organizations, is economic difficulties. Due to disadvantaged economic conditions, families let their children participate in income earning activities.

“If a child earns money on the streets, he or she can earn 200,000 – 300,000 VND (9.7 to 14.5 USD²²) a day. For such income, many families agree to receive payment in advance to let their children go to the cities to work...”

(IDI, female, staff of provincial DOLISA, Thanh Hoa)

Awareness and understanding of safe migration

According to representatives of mass organizations and organizations in the research sites, children who migrate by themselves or follow their relatives/brokers face the following risks:

Some families prepare their child’s migration with adequate personal documents, such as personal history and authorization for the employers. However, the documents are only used to meet the demands of government procedures. Parents often do not know much about the brokers or the type of work, working conditions and work place to which their children will be taken. The children themselves do not have any information and follow the instructions of the adults.

“Two days after meeting the woman, I followed her. She told me that I did not need to bring many things, except for some clothes because she would pay me one million VND (48.4 USD) a month and give me clothes.”

(IDI, boy victim No. 3, 16, Thanh Hoa)²³

Most of the children under 18 years of age followed their friends or relatives to go away to work where they may experience labour and sexual exploitation. Labour exploitation occurs in small family owned factories, such as garment and shoe factories. In addition, street children are at risk of being sexually exploited.

“Children [girls] working in District 5 are most at risk of being sexually abused as they usually sell food very late at night, even until 3-4 a.m. Working time depends on the customers and season. In the tourist season, customers increase and children have to work and serve later at night.”

(FGD, social worker, shelter, HCM City)

“Do you think T. is exploited or trafficked?” “I think this is a case of exploitation because it is considered as trafficking if referral and transactions have occurred. In fact, there is a labour contract between the family and the employer, but the employer exploits the child exceeding the time allowed.”

(IDI, communal official receiving the boy victim No. 1, Bac Giang)

In addition, children face difficulties related to accommodation and general living conditions - most of them stay at their place of work, which is usually small and untidy as the owner cuts cost for the living conditions.

Gender analysis

Most interviewed government officials and NGOs at all levels reported that there were hardly any differences between boys and girls when making the decision to migrate for work: most of the young boys and girls worked away from home with the desire of earning more money for their families. The employers treated boys and girls equally in work and both boys and girls took part in hard work. If there is, work assignments were different due to their individual physical ability and skills. However, according to the government officials at grass root level girls are at higher risk of trafficking for sexual exploitation or of being sexually abused.

With regard to illegal adoption and abduction, interviewed government officials and NGOs at all levels are aware that boys seem to be more at risk of being trafficked for adoption: boy infants were reportedly sold at higher prices than girls. While a girl was sold from 10 million to 12 million VND (484 to 580 USD), the average price of a boy was from 30 million to 50 million VND (1451 to 2419 USD).²⁴ This is probably due to son-preference in both Viet Nam and China, further accentuated through China’s One-Child Policy (see 5.4 Adoption for further information).

According to most interviewed social workers or government officials involved in support for victims of trafficking, there was a similarity for boys and girls in the study areas in terms of policy framework and actual support.²⁵ However, all interviewees directly involved in providing support to trafficking victims feel that the boy victim’s need for support is different to that of the girls in terms of, for example, psychological counselling, accommodation support and jobs offered. Managers and social workers of the reception centre and support projects in one study site which received both male and female cases, lacked separate accommodation for boys as the building was designed for accommodating women and girls only. The reception centre staff expressed a need for socio-psychological counselling and vocational training that address the boys’ experience of trafficking and post trafficking lives. Some social workers think that the psychological counselling needs of boys are different to girls, as boy victims may not reveal their situation because of stereotypical notions of masculinity or stigma surrounding sensitive issues, such as trafficking for sexual exploitation. Psychological counselling for boy victims could be more effective if delivered by a psychologist of the same sex, however there is no male psychologist available in the study site. In addition, respondents state that the design of the vocational training for boy victims should be expanded with a range of different options and skills that are applicable in the current job market.

Reception centre staff reported that they so far have mainly provided support to trafficked women and girls (under 16 years old), who have been trafficked primarily for sexual exploitation. They fear they may lack knowledge in working with victims of other types of trafficking, including begging and criminal activities, forced marriage, domestic servitude, labour exploitation as well as trafficking in boys and young men more generally.

4.3: Understanding and awareness of the wider community on trafficking in boys

Similar to the findings of interviewed government officials at the lower level, community knowledge on the concept of trafficking in boys was found to be consistently low. For this reason, when trafficking does occur, it is often not identified as such. There is some awareness on trafficking and especially for the purpose of labour exploitation, although community members refer to it by a different name. This awareness does not, however, translate into safe migration behaviour.

Understanding of human trafficking

Most of the interviewed community members reported that they had heard about the term “human trafficking”. It was, however, understood by them as trafficking in women and girls only for sex work or marriage. They are not aware that the definition includes the exploitation of labour and the trafficking in men and boys.

When asked about the definition of human trafficking, most community members indicated that it should include factors of deception, cheating or kidnapping, and, again, an exchange of money, transferring from one place to the other and forcing to work for employer’s benefits. However, many still considered human trafficking as including trafficking across the border only, but not domestic trafficking. Domestic trafficking of children is defined as child labour or labour exploitation. The local authorities also stated the fact that community members have not identified cases of domestic trafficking of children for the purpose of labour exploitation as human trafficking. The need to find a job among community and young people has made it easy for the perpetrators to lure boys into being trafficked. In some cases, parents or families of the children were either knowingly or unknowingly involved in the trafficking act. According to them, in recent years, brokers or small business owners in urban cities have hired local people to recruit workers instead of them recruiting directly. Often, these local people have close contact or are even related to the families of victims. This is why families trust the recruitment process, since they trust the recruiter.

In many cases, the parents may already know about the exploitative working conditions in the place of destination. However, the victims or parents take the risk and agree to let their children work under such conditions. This is typical for cases working in the family run garment factories. A father of one of victim whose son works from morning till midnight:

“I think, it’s not exploitation, it is business, right? When new goods are delivered, if it’s not much, they only work till 9 to 10 pm, unless workload is much, then they have to work till 1-2 am. According to me, it’s their (recruiters) business so they children have to comply, that’s all.”

(FGD, boy victim’s father, 42, Hue).

When asked about exploitative working conditions, the parents and the victims frequently reported that they had “voluntarily” accepted these conditions when they agreed to work for the owners. In their view, when they agree to work for payment, they must accept the conditions imposed by their employer and thus they do not consider it exploitation.

According to interviewed police, most brokers they interviewed lacked knowledge of human trafficking or the frame of punishment when they were involved in recruiting or transporting the boy victims.

Understanding of trafficking in boys

While many people are aware that boys experience of labour exploitation or child labour when migrating to work, they do not identify it as trafficking in boys. Only a few of the interviewed community members mentioned cases of trafficked boys. Most community respondents state that trafficking in women and girls occurs more often and usually in border areas. Although families receive money from the broker or the employer when their sons migrate, this was considered as advance salary. It is worth mentioning that although interviewed community members think the situation of trafficking in boys is not common, they nevertheless perceive it as a serious issue because the boys could be at risk of HIV infection resulting from sexual abuse:

“It is a serious problem because boys are trafficked for the purpose of labour exploitation as well as sexual abuse, which puts them at high risk of cases of HIV infection. Trafficking in boys often occurs in border areas...”

(FGD among local people in HCM City)

Boys also have low awareness on the risks that they may face. Most migrant boys who participated in FGDs said that boys and girls will not easily become victims of human trafficking because they had heard about human trafficking and, as such, are cautious about the issue. This idea was mostly from boys aged between 14 and 18 years old. It showed that the migrant boys believe themselves to be more strong, brave and adventurous and they believe that they cannot be easily cheated and trafficked.

“We're strong boys so it is difficult to fool us, and if we are cheated we can escape easily. We are only afraid of being cheated for international adoption purpose; then it will be hard to find a way home. Generally speaking, we have the guts to not be cheated”

(FGD among boys in vocational training centre in HCM City)

When asked during the FDGs about those factors which make boys more vulnerable, local people and boys listed economic difficulties which push the boys to work to earn money to help their families, the desire to explore the outside world or to prove themselves. However, they mentioned the main reason for children to migrate for work was their economic situation.

“I find it is so difficult to earn money at home so I asked my parents to allow me to find a job to support the family”

(FGD among boys in vocational training centres in HCM City)

Some local people also indicated that a possible cause was demand of Chinese for boys for working in coal mines or brick kilns. This is another pull factor for the increase in child trafficking for labour exploitation. These people are aware of trafficking in boys for the purpose of labour exploitation.

Many boys themselves did not recognize their exploitation. Many boys even at the time of working in the family run garment factories did not perceive that they are being exploited. The boys were only concerned about the pressure to support the family, the need to earn money so they feel that once they agreed to work, they have to follow any regulation. “I never thought that I was being exploited since I voluntarily accepted the work. No one forced me to come there to work. So when they set the rule to work until 11, 12 pm ... It is the rule so everybody has to follow.”

(FGD with boy victims, boy victim No. 7, 13, Hue)

Awareness on safe migration

Interviews show that most parents have no specific information about the place of work and the nature of the work before agreeing to send their sons there. They only have a general idea about the job as well as the destination through the broker or the employer who came to recruit. This is because brokers or employers are often local people whom the families trust. In fact, many families prepare documents and procedures for authorizing the employer to manage their children. This preparation is the same for boys and girls.

“Tan [owner of a private family-run garment factory] came to our house and said that his family was in this region but he had started his own business in the South since 1974. If you would like your son to work for me, please approach the communal authority to process the temporary resident and vacant papers and let him go with me...”

(IDI, father of boy victim No. 1, Nghe An)

Group discussions with migrant boys who are working or have worked in the city reveal that they are aware of safe migration and seek information on the destination and job before hand. Most of the boys between the age of 15 and 18 years state that they discuss with employers about the job, salary

and working hours before they start. However, working conditions are mainly agreed on verbally and only some sign a contract with the owner before working.

According to local people and children in the community, items to prepare before migrating to work include the identity card, temporary absence paper signed by local authority, money and clothes. This process, however, is only conducted by older children who have agreement from their families: children who are asked to go with their friends or brokers from the same village often lack and preparation, or just bring some clothes with them if anything.

Community members recognise that children who work for more than 8 hours per day without extra salary are labour exploited and that the Labour Code prohibits the recruitment of children less than 15 years of age. However, they also mention that if children are paid additional wages, over-time cannot be considered labour exploitation, even when the extra amount is less than agreed. Interviewed community members are not aware of maximum working hours or overtime working hours per day and per week allowed by the labour law.²⁶

“Exploitation is also forcing to work over time without extra payment but being paid for working overtime as negotiated could not be said to be exploitation”

(FGD among boys in Vocational Training Centres in HCM City)

Awareness on factors of trafficking in boys

The majority of interviewed local people and boys confirmed that all boys who worked far from home were at risk of labour exploitation, such as being forced to work from 10 to 12 hours per day without extra payment, or paid a very small amount. However, according to local people, these boys do not prepare for safe migration, as described above. Community members recognise that girls who beg, sell lottery tickets or flowers, or shine shoes are vulnerable to sexual abuse, which puts them at high risk of HIV infection. While some also share this concern for boys, it is perceived as a much lower risk. However, as this research shows, sexual abuse of boys does happen in the study site.

“At 23/9 park, I begged money from a Westerner who gave me money and took me for food then to the hotel for a rest. The next morning, he gave me money for breakfast and playing electronic games. At noon, he offered me a lunch and asked me to have sex with him (he had touched me before). I was so frightened and ran away”

(IDI, abused boy, 13, HCM City)

Besides, community members were also aware of mistreatment or physical abuse experienced by the children when they cannot earn a certain amount.

“In my family, there are two children who migrated to beg, the younger sister could earn more money than her older sister because she was smaller. Sometimes, the younger sister shared her income with the elder one so that she could get the required amount. The employer forced them to give him 500,000 - 600,000 VND (equivalent for 24 to 29 USD) a day. He would punish them ... if they could not earn enough. The younger sister never experienced punishment as she could earn 600,000 VND (29USD) a day while the sister got beaten when she could only earn 300,000 VND (14.5USD) a day...”

(FGD with mothers of male and female victims in Thanh Hoa)

Without being informed about the type of work before migrating, children are at risk of being forced to do unwanted jobs.

“I thought that I was going to sell lottery or polish shoes there, but couldn’t expect that I had to beg.”

(IDI, boy victim No. 4, 15, Thanh Hoa)

According to local people, the highest risk that migrant boys face when being away from home was labour exploitation. There is an awareness of the risks that boys experience when they migrate, whether these risks are defined as trafficking or not.

Gender analysis

Local people stated that there was a difference in reasons for leaving home between boys and girls. Most girls migrated to work to earn more income to help their families and there were more suitable jobs for girls. Meanwhile, boys also left their homes with the intention to explore the outside world or to prove themselves. According to them, many boys drop out of school or do not want to study. Boys are considered more adventurous and perceived themselves are stronger, more brave and less at risk of being trafficked than girls.

Community members think that there is no difference in roles and tasks for girls and boys by employers. Both boys and girls were reported to do the same amount of work, or receive the same punishment if the employer was not satisfied. However, local people thought that abused boys would try to escape while girls would not as the boys seem stronger and less scared to run away. They mentioned that girls usually are weaker, not happy to live without accommodation and someone to protect them. The fear of knowing nobody and not knowing how to get home is perceived as preventing girls from trying to escape from their workplace. Additionally, the fear of being sexually abused is more dominant in girls than in boys, who are viewed as are less at risk of this type of exploitation.

4.4: Conclusion

Officials of different departments consider human trafficking to be mainly involving women and children for the purpose of commercial sex. In their view, individuals vulnerable to human trafficking include young and innocent girls living in rural and remote areas. However, according to various research projects on human trafficking (Clawson and Dutch, 2008; Save the Children and MOPS, 2008) and the data of this research, victims of human trafficking include men, women, boys and girls of different ages and from varied backgrounds. As well as sexual exploitation, many victims are trafficked for the purpose of labour exploitation.

As previously mentioned, interviewed respondents at local level lack knowledge on the international definition of trafficking in children (Palermo protocol), as it is not reflected in both the Penal Code and the newly approved Law on Prevention and Suppression of Human Trafficking. Furthermore, the terminology “trafficking in persons” in Vietnamese “*mua bán*” means “selling or buying” – thus, the translation is misleading as it presumes that there is always a transactional aspect that is more accurately described as enslavement and exploitation of people (UNODC, 2009).

Most interviewed local authorities and community stated that boys and men are at risk of being labour exploited. However, they are not aware that trafficking in persons includes the exploitation of labour and the trafficking in men and boys. For this reason, when trafficking does happen, it is not identified as such. Respondents’ perception of trafficking in children as the buying and selling of children rather than considering the purpose of exploitation is very common. Domestic trafficking in persons, especially in the trafficking of boys is not recognised. The perception of the risk boys face of being trafficked is estimated as low as boys or men are being perceived as strong, brave, adventurous and not easily to be cheated and trafficked for exploitation purpose. Mostly, interviewees think that the purpose of trafficking in women is for sex work or marriage only. Some victim boys and their parents know that the working condition may be onerous or exceed labour guidelines before migrating to work but they do not this exploitation because the boy volunteers to work for the owner.

Domestic trafficking was only recently added to the new NPA for 2011 - 2015. As such those interviewed at local level have a different understanding from other stakeholders with regard to the form and extent of child labour exploitation as no legislation or guidelines describe this behaviour of child labour exploitation.

V. TRAFFICKING CASES

The study assessed 82 cases of boy victims of trafficking, among which were 30 cases of labour exploitation, 5 street vendors, 24 cases of sexual exploitation, 10 cases of abduction, 10 cases of newborn adoption and 3 cases with unknown purpose or “on the way to be trafficked”. The findings for each of these categories are described in the following sections, including background,

contributing factors to vulnerability; recruitment methods; transportation process and routes; the exploitation, return and reintegration; gender analysis and conclusion.

Below is an overview of the whole respondent group of trafficked boy victims.

5.1: Demographic profile

Departure and destination

82 victims in 18 provinces²⁷ scattered all over Viet Nam - including 35 children from the north, 25 from central Viet Nam and 22 from the south - have been accessed for this research. The victims from the south come from the Southeast and Mekong Delta provinces. The largest numbers of victims come from Hue and Ha Giang, with 21 and 12 cases, respectively, and were mainly trafficked for labour exploitation and babies abducted for adoption. The research also reveals that 21 cases were trafficked cross border and the remaining 61 cases were trafficked domestically. Excluding the 10 newborn babies, only 3 boys out of 72 children originate from the city, the rest of the 69 children were from rural areas. The place of origin for the 10 newborn cases is unknown or not accurate.

China is the destination of most cross border victims (20 out of 21). Only one boy was found to be trafficked to Cambodia. When excluding 7 cases of newborn babies, HCM City is the sole place of destination for domestic cases (54 cases in total).

Age of victim

Age of victims at the time of interviewing: At the time of the field research, 23 of the victims were aged between 19 and 25 years, followed by 20 victims aged from 11 to 15 years, 15 cases from 16 to 18 years old, with the smallest age group aged from 6 to 10 years old comprising 5 victims.²⁸

Age of victims at the time of trafficking: 27 cases were trafficked at the age of 16 to 18, 27 cases were trafficked at the age of 11 to 15, and 17 cases were under 6 years old.

Of the 17 cases under 6 years old, 10 cases were newborn and 7 cases aged from one to five.

For labour exploitation, most children (18 out of 26 cases) were aged between 11 and 15 years. For sexual exploitation, the majority (19 out of 22 cases) of the boys were from 16 to 18 years old. All of the abduction cases were younger than 10 years old with 7 cases younger than 6 years old.

TABLE 3: TYPE OF TRAFFICKING AND AGE AT TIME OF TRAFFICKING

Type of trafficking	Age at the time of trafficking				
	Under 6	From 6 to 10	From 11 to 15	From 16 to 18	Total
Labour exploitation*	0	1	18	7	26
Street vendor/forced labour	0	1	4	4	5
Sexual exploitation**	0	0	3	19	22
Adoption - Abduction	7 ²⁹	3	0	0	10
Illegal adoption	10	0	0	0	10
Unknown purpose	0	0	2	1	3
Total	17	5	27	27	76

Missing data: *: 4 cases, **: 2 cases.

Ethnicity

59 victims belong to the Kinh ethnicity, the main ethnicity in Viet Nam (86.2% of the population). 23 boys belong to ethnic minorities including 9 Mong boys, 6 Dao boys, 4 Thai boys, 2 Tay boys, 1 Muong boy and 1 Nung boy.

Education level of victims

Excluding boys under 6 years old who have not yet reached minimum school age, the average number of year that the boys had studied in school is 7.4 years by the time they leave home. By this time, most of them have quit school. The shortest time any of the boys had spent in school was 1 year and the longest was 15 years of study. 32 cases had entered lower secondary school, 15 cases had studied at primary school, with only 8 cases reaching higher secondary school. A further 4 cases had studied in vocational training, college or university.

While most of the victims quit school before trafficking, many cases of labour exploitation victims then resumed it after their return. A small number of boy (4 boys) were still studying at the same time as working as boy sex worker.

Current family situation

Excluding the 10 cases of trafficked newborn boys on which no information is available on the biological parents, the parents of 53 boys are both still alive, 8 boys have single parents and 7 boys are orphans.

Only 37 boys still live with their family. These boys are predominantly those that have been rescued by government agencies or international NGOs. For instance, there are 21 cases in Hue and 5 boys in Nghe An and Bac Giang who had been trafficked to work in small family run garment factories and are now living again at their place of origin with their parents. Accessed boy sex workers often live with brothers or friends in HCM City. It is also very common that they live in their workplace. For example, 25 boys live with brothers and friends, while 8 boys live in some other place – which may be a park or with relatives. 7 cases still live in the Orphanage Care Centre and only 3 boys live alone.

On average, there are 5.3 people in the victims' families while the average number of people in a household in 2008 in Viet Nam is 4.12 according to the GSO.³⁰ The average number of children in the family of interviewed boy victims of trafficking is 3.7 children. Especially in Hue, among a total 21 interviewed families, the average number of children in a family is more than 5.

Concerning the marital status, out of 82 former victims (most are under 18 years old at the time of trafficking), 22 victims are now over 18 years old, and four now are married at the time of research, whilst none of them has been married at the time of trafficking.³¹

Current occupation

A large number of victims are now studying in school – a total of 28 cases. 27 cases are doing “other jobs” which in case of this research mostly refers to sex work; 15 cases are “newborn/small children” and thus have no occupation, and 12 boys are farmers.

Most of the boys who are currently studying are children in Hue who resume studying and receive support from an international NGO project. 24 out of 27 cases that responded with “other job” are boy sex workers and all these boys work in HCM City. At the time of research, some of the 24 boys who are currently still engaged in sex work are also doing additional jobs like labour worker, guard, or sales man.

5.2: Labour exploitation

5.2.1: Domestic labour exploitation

5.2.1.1: Background

25 victims worked in small private run garment factories, of which all were based in HCM City. Of those, 20 boys are from Hue, 4 from Nghe An, with one boy from Bac Giang. In this research, we were only able to identify cases whose destination was HCM City.

The youngest boy victim of trafficking in this group was 10 years old, 3 boys were 17, and the other 21 boys were trafficked between the ages of 12 to 15. Among them, 20 boys belong to the Kinh majority and are from Hue, one boy belongs to the Nung ethnic minority and is from Bac Giang and four boys belong to the Thai ethnic minority and are from Nghe An.

Almost all interviewed victims had dropped out of school and then had been interested in migrating to HCM City to work and were subsequently trafficked. Half of them were in primary school and half were in lower secondary school when they dropped out. Following intervention from an INGO, the interviewed children in Hue were rescued and returned to their families and resumed their studies. All of the boys are now living with both their parents, except for one boy whose mother had died.

5.2.1.2: Contributing Factors

Lack of income generation and employment opportunities:

Interviews with many families show that they cannot afford their children's education and daily living expenses. The desire of the boys to earn money is prominent, so they are eager to migrate and are easily deceived into an exploitative situation. The father of a victim said stated about the reasons of sending children to work:

"Because of economic privation -the head of the household does not have enough money to spend on the children's schooling so they have to send their children to work in the city to help their family."

(FGD, father of victim No. 9, Hue).

When asked about the amount of money (around 150 to 250 USD) that one child can earn in one year compared to their annual income, the answers from fathers' victims are "it is big", "3 million Vietnam Dong (about 150 USD) is too happy for me" or "I want my child to work in Sai Gon because when he comes home at Tet holiday, we have about 3 million (150 USD) to spend for that event"

(FGD, father of victim No. 7, Hue)

This research indicates that among the 25 cases, there are only a few cases where the parents did not give their agreement for the boys to go.

Adding to the economic difficulties, on average, each family has 4.5 children. In Hue in particular, the number of children per family is high: each of the 20 families interviewed had at least two children with the largest family having 10 children. On average, each family interviewed in Hue had 5.14 children. As such, many children had to quit school in order to earn money by migrating to urban areas or mining areas.

In the interviews, the victims' parents always referred to their family economic situation as the reason for pushing their children migrating to work. This quote may be representative for grievances that were voiced by most interviewed parents:

"In general we work in fishing around here, but you need to have money to buy a boat for fishing. In general there is a lack of many things, the families are large so the head of household does not have money for children to study in school, so children have to earn their living and support their parents. In order to help their family, they find a job to work in Saigon [HCM City]."

(IDI, father of victim No. 15, Hue,)

Boys working in small private or family run garment factories in HCM City said that they were desperate to have a job with a good income to support their families hence were vulnerable to be trafficked or abused. Many parents and victims knew that they would have to work long hours before their departure but still agreed because the only alternative for migrating is farm work. Some respondents feel that going to the city to work is the only option for them to earn money.

"The village does not look poor but there is no income, so the family has money from sending children to work. The village looks quite nice, everyone has a nice house, but actually there is no work in the village. Many don't have a house or land."

(IDI, international NGO representative, male, Hanoi)

Low awareness on safe migration and trafficking in boy:

It was clear from the interviews with victims that most of the boys left their families without knowing about the specific destination or the type of work that they would do: they simply followed friends or villagers when asked to. They brought neither money nor personal papers with them but only a few clothes. Some of them did not even bring any clothes as the broker or owners paid for food and transportation during the trip as well as food and accommodation in their workplaces. The children were also not aware of risks that they would face at the destination areas apart from the fact that living in a big city may be different from home. Cities are expected to be places where there are more employment opportunities; more people and people are richer. They hope that they can earn a lot of money, which can help their families, buy new clothes, and have more fun. Furthermore, boys reported that they did not have any skills to do the expected jobs, however they still made decision to go as there was no alternative choice of work available at their localities.

Both families of trafficked boys and the boys themselves mentioned about the risk of facing labour exploitation. In the meantime, they have never heard about safe migration and trafficking in boys before. According to them, trafficking is only conducted across the border and that trafficking only happens to women and girls.

5.2.1.3: Recruitment Methods

There is a big demand for cheap labour in the industrial zones and economic development zones in HCM City, Hanoi and the surrounding areas (UNFPA, 2007a). Interviews revealed that many brokers or even owners go to the rural areas to recruit the boys and other labourers to go to work in the cities.

After the lunar new year (*Tet*), people start returning to work in the city after the holiday in their place of origin and this is the key time for trafficking for labour exploitation. Migration from the rural areas peaks at this time and brokers takes full advantage of this chance to deceive families and boys. The big annual salary at Tet holiday that the migrant workers received can be seen by others who stay at home and it is a strong motivation for families and boys to go with the broker/trafficker.

“So I guess Tet is a good time for the trafficker or factory owner to pay for the children some money so maybe the children go home, we find some hundred thousand or million Dong (48 USD) and the family think “wow, it’s a lot of money” and in fact the family will be telling the neighbour that “look at me, I have a million Dong (48 USD). Maybe the children have new clothes. So the parents may be very proud that the children can earn money for the family but they never heard the children have a terrible time in HCM City [because the children do not talk about it]”

(IDI, representative of international NGO, male, Hanoi)

The strategies described by interviewees regarding how boys are deceived into being trafficked into labour exploitation seem to be similar to that of girls. Victims are normally promised a good job with a high salary so that they can send money to their family. However, it appears that many boys are aware of the hard working conditions which await them with many having at least their siblings or relatives already working there. It seems that these boys have no choice to find other relevant jobs except working for small family run garment factories in HCM City. Since they agreed to work for them they feel that they have to follow the regulation and condition set out by the owners. They do not consider themselves as being exploited.

“I had to work to support my family. Since we wanted and agreed to work so it was not exploitation.”

(FGD with boy victims, victim No. 6, Hue)

Taking into account the family’s economic difficulties, traffickers advanced the family some money if the family request it. Normally the amount of this advance is relatively small. For example, if one boy works for a garment factory, he can be paid up to 6 million VND (290 USD) for a year, so the trafficker may advance 1 million VND (48 UDS). The trafficker can advance the money to the family at the time

of taking the boy to destination or after the boy has worked for them for a few months. In general, the boy's salary is an annual salary and is normally paid at the *Tet* holiday.

Families of victims trusted the brokers or factory owners who recruited their children because these brokers or employers were either local people or sometimes their relatives. As such, they did not inquire further about the working conditions or place of work for their children. In addition, the parents did not consider receiving advance money from the employer as a step in the process of human trafficking.

As mentioned above, most of the boys who went to work in HCM City in garment factories had the agreement of their parents. However, these agreements did not include any details about working and living conditions. Once the trafficker gets the agreement from the family, it sets the condition for the traffickers to have control over the boys in the work place and to force the boy to do as they are told. When the boys were asked what they are thinking about their working conditions, the answers included *"I have to work because my parents agree to send to work here"* or *"If I do not work for them, I do not have money to go back home."* Once families agreed for a child to work, the child takes it to mean that he must do whatever the trafficker tells him to. It does not mean he works only for his owner, but also for his parents and his family. It is his responsibility to work. In some cases, it is even perceived as a "sacrifice" for the family. There are also families who did not agree to letting the boys leave home to work in a garment factory but the boy insisted on going to HCM City to work. He then usually went with his friend or broker and did not let his parents know until he reached the destination.

5.2.1.4: Transportation process and the routes

Normally, the factory owner or broker picks up a whole group of boys for convenience. All the boys usually pass through two or three transition places. First, they go from the boy's home to a more central place in the commune or district, such as the next bigger city. At this stage, the boy may go alone or may be accompanied by family members. The factory owner or broker picks them up from the central meeting place and take them to the destination by public coach. Usually, there is a direct coach from the district to HCM City. If there is no direct coach from that area, the boys can be moved to the national road where the coaches are available to transport them to the final destination. For example, the boys in Nghe An were moved from commune to district, then to the province from where they finally went on to HCM City. The boy in Bac Giang was moved from his home to the district capital and then taken with his other friend to Bac Ninh province by the broker. Here, the two boys were taken into the coach straight to HCM City. The factory owner asked driver to take these children to HCM City where his son was ready at the coach station to pick them up.

5.2.1.5: Exploitation

Working conditions:

In this research, children were mainly working in private or family run garment facilities where the number of child workers ranged from ten to nearly one hundred. Most boys have to work more than 8 hours per day, and in some cases from 12 to 16 hours day.

The interviewed working children, considered minors, stated that they have to work a minimum of 2 or 3 hours of extra overtime each day, and they did not know that it was illegal.³² Most of them admitted that it was *"hard"* but still obeyed with hope for extra payment as promised by the employer. Some even said that one must follow the rules set by employer.

"I started to work from 7 am to 12 pm, and then worked until 7 pm after 1 hour break. I had dinner and then worked from 8 pm to 11:30 pm. I find it hard to work for so many hours a day but I don't think I was exploited because it was their regulations and everyone had to do the same. I could find another job if I did not like it."

(FGD, boy victim No. 3, 16, Hue)

The working conditions were extremely hard, but none of them were given any extra payment. The children were occasionally served dinner but most of the time, they were not provided with any kind

of extra payment or benefits. Working long hours is common for all the boys being exploited for their labour and some voluntarily accepted the situation if they were paid a salary. Only when they boys were not paid for overtime as previously agreed did they consider that they were being exploited.

A few children reported not being allowed to have lunch or only have limited time for lunch. Most children had to work at least six days per week. On the weekend or just on Sunday, some children were allowed to stop working at 4 pm or 6:30 pm. Some of them were given a half day off either on Saturday or Sunday afternoon.

“No Sunday for children. He had to work all day right after having meals without any day off. Only when someone was sick, he was allowed to leave from work.”

(IDI, parent of victim No. 1, Nghe An)

The children were often insulted if they damaged something or did not complete their work as required. Some of the children were even beaten when they could not finish their work.

“He punched my face and I had a nosebleed because I could not make the shirt cleft. I washed myself in the toilet and then continued working. I was angry at that time. I wanted to escape from there and I slept in the graveyard that night. The next morning, he found me and took me back and then beat me more.”

(IDI, boy victim No. 1, 17, Bac Giang)

All of the children slept in the working places. When both girls and boys worked in the factory, their sleeping quarters were separated. They slept on the floor where they worked. *“We had sleeping mats or just slept tightly side by side. The mats and blankets they provided were included in the wages.”*

Restriction of movement and communication:

All of the boys who had been labour exploited shared with us that they had to work for the whole week without leaving. Some of them were given a half a day off on the weekend. The owner only let the boys off work when they were seriously sick, but not when the boys are tired or only slightly sick. In some cases, the owner threatened the children about what would happen if they pretend to be sick.

“I was scared to ask him for time off because they (the owner and his wife) said there once was a child that pretended to be sick and then he sent him to hospital for checking but it was not true. They said that they gave that boy a fluid transfusion that I do not know. So now I am scared to ask him.”

(IDI, boy victim No 1, 17, Bac Giang)

Many children were confined and not allowed to have any contact outside the factory. They had no access to telephones. As they did not know the area where they worked, they could not manage to escape.

“I asked the children why they did not escape and find police for help. The children said they could not find police as they have no idea about where they were staying, where is the police station, so they were always caught by the owner when trying to escape.”

(IDI, police, male, Bac Giang)

Some children were not allowed to communicate with outsiders. In addition, they were not allowed to return home before the Lunar New Year/ end of the year. The method used by the employers to keep the child labourers was holding back their annual salaries. If the children escaped from the working places earlier than the contract termination, they would not be paid at all.

“My child could not escape as he was too small and had no means to go. The owner did not pay him; he could not go without money for the coach.”

(IDI, a parent of victim No. 2, Nghe An)

Some children were not permitted to have contact with their families and the parents did not receive any contact numbers for their children at the time the boy was trafficked. When they could make phone calls to their families, but only under supervision of the owner:

“His wife was standing next to me when I talking on the phone. So I just told my older brother when he asked how my work was that it was good.”

(IDI, boy victim No. 1, 17, Bac Giang)

Almost all the boys were paid annual salaries; they received their salaries at the end of the working year on *Tet* holiday, but their salary was reduced by any advance payment and any other costs such as medical cost or clothes. If children (boys and girls) ran away, they risked losing the annual salary. It means that they had to work hard for a long time for nothing while their families at home were in a great need of income. Moreover, they also did not know any other place to go, any other work to do. Some children were paid advance payment when they wanted to buy food or clothes. Even when the children already worked for the owner for a certain time, he only gave them an amount enough for food and clothes, but not to buy transport tickets, in order to prevent children from running away or moving to another facility to work:

“He just gave enough for buying food and other things, but not much. If you want to return home, you have to ask several times; for example, this month you ask for three hundred thousand and next month you ask for another three hundred thousand and you save the money for coach fee. Sometimes, I was sick and I wanted to buy some clothes, I asked for a little more and the owner still agreed. Then I used the money to buy ticket for returning home”

(IDI, victim No. 4, 13, Nghe An)

Some interviewed boys tried to escape but were arrested and ruthlessly beaten by the owners.

“I tried to escape and was stopped by the owner. He held my head and punched it into the wall; he then kicked me in the head and back. Then he took the two of us to the work place and did not allow us to go out any more.”

(IDI, victim No. 4, 13, Nghe An)

Income:

Annual income is the typical mode of payment for the children who were trafficked to work in HCM City for the garment factories. The boys' income depends on their age and experience. On average, each child is paid between 3 to 6 million VND which is equivalent to 145 to 290 USD a year for the first year, and in the following year, the annual salary may increase up to 9 to 12 million VND (435 to 580 USD). This is the net salary, excluding the expenditure for food and accommodation, which is paid directly by the owners. Any advance spending during the time they work and live in the factory, however, will be deducted from the net salary. This method of payment means that these jobs are basically bonded labour. The parents usually receive some kind of advance payment when their boy decides to leave to work in the factory, which means the boys are or feel somewhat committed to working according to the owner's requirements.

Should the child work for only a few months and then quit his job, he does usually not receive any payment because he broke the verbal agreement given by the family.

5.2.1.6: Return & Reintegration

Most of the children in this group are now living with their families in Hue, Nghe An and Bac Giang. Those involved in rescuing victims of domestic trafficking for labour exploitation, face several challenges. Many reported having difficulty in approaching the children. Frequently, the factory owners hear about the upcoming rescue mission ahead of time and moved the child away or closed the shop. The factory owners warn each other to hide the children or move them away if they know the rescue team is coming. As such, rescue missions must be undertaken quickly and covertly. They had to work in a team consisting of different members, involving local authorities, either police or lawyer or journalist and have a good liaison with the child's family in order to force the factory owner

to bring the child home. The arguments used to force the workshop owner to release the child were that (i) using child labour is prohibited by the law and (ii) agreement from the child's parents to bring their child home. One interviewee expressed his concern that there were very few organizations/agencies that are involved in rescue work for this type of domestic trafficking cases.

All of the interviewed children trafficked for labour exploitation were returned with support of the anti-trafficking projects or relevant state agencies - for example the police or DOLISA - which are involved in child protection and/or rescue of trafficked persons/children. It was noted that six domestic trafficking victims were rescued thanks to one boy working in the same garment factory who escaped from the shop to call his family. His family member then called the relevant agencies through a hotline to organize help for their child. During the exploitation period, several of the interviewed boys tried to escape once or twice but they were caught and beaten badly to prevent them from escaping again.

The Project Combating Child Labour supported all returned cases of domestic trafficking (20) in Hue. They were supported these children and their families through the provision of school fees, clothes, books and meals and school insurance in order to be able to go back to study in their locality, given that the boys were all still of school age (13 to 16 years) at the time of interview. One case was not able to continue with schooling, so the project sent him to a vocational training in a big city for six months. At the time of interview (end of December 2010) he had subsequently returned home to seek a job. In addition, in cooperation with a provincial credit project, this project also provided a loan and training to some of the poorer families of the victims for income raising activities (fish farming). This full package of support by the Project Combating Child Labour for returned children includes schooling or vocational training in order to prevent the boys from migrating again.

Only a few options for vocational training were available at the provincial study sites. The victims had to go to big city like Hanoi, Hue, Da Nang, or HCM City for greater vocational training program options. For some boys, this proved difficult given that they are the main source of labour and income in the family and are needed at home to support their families. Most boys preferred on-the-job vocational training at their home locality.

Interestingly, all of the interviewed boy victims of trafficking stated that they would agree to work away from home again. According to the former victims' knowledge, there are many job opportunities in cities, which would help them earn money and learn more. However, most of them said they would carefully seek more information on the destination, job details and working conditions. Only when they had enough information about the address and employer of the company and the job that they would do, they would decide to go – it showed a big change in awareness among these victims on safe migration to prevent human trafficking.

5.2.1.7: Gender analysis

The group discussion and interviews with parents and returned/rescued boys shows that it is presumed that girls are more vulnerable to trafficking than boys. When asked about trafficking in persons, they associate it with trafficking in women and girls only. Even related agencies have concentrated more on anti-trafficking initiatives aimed at women, because the stereotyping of women as trafficking victims is common. In many situations, authorities overlook the possibility that males may be trafficked and consequently exclude them from identification, assistance and protection (Dottridge cited in Surtees, 2008). Therefore, letting boys live away from family has not been difficult for their parents and boys when considering the decision to migrate.

Family members, officials and the victims themselves usually think that the girls may have greater risks than boys since they usually link risk with sexual abuse and consider girls more vulnerable than boys when they leave home. Culturally, boys are considered by parents and society as stronger than girls, hence perceived as facing less risk. This also leads to the belief that when the boys go out to help their family, they are less likely to be abused or exploited. Some interviewed community members cannot imagine a boy being trafficked. These people tend to think that people are trafficked only for sex work or marriage. At the same time, boys and parents also aware that both

girls and boys may face the risk of labour exploitation. The pressure to earn money, however, means that the decision to migrate for work is often made without proper consideration of the risks, rewards and potential working conditions.

In the group discussions, the child participants (boys and girls) stated various reasons for leaving home. Most girls migrated to work to earn more income to help their families and to find suitable jobs. The same factors are important for boys, but they also want to explore the outside world or prove themselves. The boys also have the desire to earn money in the cities to be able to buy modern clothes and other accessories. Many surveyed boys also dropped out of school or did not want to study.

"I have to say in an objective way, most of the children (that have been trafficked) are lazy at studying, some children go to work in seasonal basis and some children even quit school to work in the garment factory."

(IDI, commune leader, Hue)

There was no difference in treatment for girls and boys by employers, with regard to working and living conditions. Both boys and girls were reported to do the same amount of work, or receive the same punishment if the employer was not satisfied. However, abused boys would try to escape while girls would not since the boys are more eager to run away and are less scared than girls.

When asking about the needs for assistance of boys and girls, both parents and victims themselves reported that there were the same for boys and girls. They all wanted their children to continue study (in school) or attend vocational training and have a stable job.

5.2.1.8: Conclusion

Results in Nghe An province showed that some families could not manage to afford their children's education and their daily living expenses, so the need to earn money is a first step in pushing boys into the process of migration, and increases the risk of trafficking. Many boys left their homes with the desire to earn money and to help their family, as well as with the intention to explore the outside world, to prove themselves or to seek for opportunities.

Both the families of trafficked boys and the boys themselves show a very low awareness of the processes for safe migration and for the risks of trafficking in boys. Families stated that many boys have experienced with labour exploitation but at the same time families thought that trafficking only happened to women and girls since they consider trafficking to involve only cross border transactions.

Families and victims of domestic trafficking for the purpose of labour exploitation also consider deception and labour exploitation as cheating or abuse only. In this research, most of the children exploited for their labour were working primarily in private or family run garment facilities where boys have to work more than 12 hours per day. Among them, many know about the onerous working conditions before they migrate to the cities, however, due to the pressure to earn an income, they feel they have to accept such working conditions.

5.2.2: Workers abroad

5.2.2.1 Background

Seven boys have been identified as cross border victims of trafficking for labour exploitation in this research. Six boys who belong to the Dao ethnic minority from Muong Khuong district of Lao Cai province were trafficked to China and one boy who belongs to the Muong ethnic minority in Thanh Hoa was trafficked to Cambodia. Among these cases, the youngest boy was 14 years old and the oldest boy was 18 years old at the time of trafficking. Five boys from the same village in Muong Khuong district were trafficked to a brick kiln in China while the two other boys were rescued on the way to destination (the Thanh Hoa case and one separate Lao Cai case from another commune of Muong Khuong district).

Out of the seven boys, five had almost finished secondary school, while the other two had reached the 8th grade before being trafficked. Most of them dropped out of school for one or two months before they left home, and then were lured abroad through deception. They now all live with their parents. Two respondents are married and each have a child.

Muong Khuong district shares a border with China; the people in this district usually go to the border market to exchange goods and to look for jobs. As a rapid assessment on irregular labour migration and human trafficking across the Viet Nam – China border by the Research Centre for Female Labour and Gender of the Institute of Labour Science and Social Affairs and the ILO undertaken in 2009 noted: *“In general, migrant workers do not have many difficulties in seeking jobs cross the border. Those who have friends or relatives in China or are guided by mediators tend to have access to better jobs with better conditions. Those who migrate alone can go to markets to seek jobs, but are at greater risk of being cheated or forced into exploitative conditions.”*

5.2.2.2 Contributing factors

Lack of income generation and employment opportunities:

Key informants report that there are not many job opportunities in mountainous communes. The main occupation is farming, which generates only a small amount of income.

A victim from Lao Cai stated that before he was deceived, he and his friends also wished to find a job to help the family. So when they were informed about a job by a female relative, he and his friends were very happy and decided to go with her the following day. *“At that time, my friends said that they went there (China) to see whether they were able to earn some money. At that time, my family was poor, and my friend induced me to go with her aunt, so I went with them.”*

(IDI, boy victim No. 4, 16, Lao Cai).

These boys are often not wary when receiving good offers:

“She said, working there (China) comes with a very high salary, 1500 Chinese money (RMB) (equivalent to 230 UDS) per month for each person and said that we would not have to work hard, so we, five friends, went with her.”

(IDI, boy victim No. 4, 16, Lao Cai)

Low awareness and practices on safe migration and risks of trafficking:

The children stated that they never thought of making special arrangements before their departure to maximise their safety. Safe migration mechanisms may include identifying contacts and telephone numbers for emergencies, signing a labour contract or taking some savings to be able to pay for the return trip but none of these boys had any relevant preparation. When the broker made a good offer to work in China, they did not have any doubt. None of these boys had any skills for a job with such an elevated salary. They expected to do unskilled work, such as clearing a land or planting banana-trees in the surrounding border areas and presumed the high offer appropriate for the opportunities available abroad. They only took some clothes with them, nothing more.

On the way to the destination, the five boys quickly lost their bearings. They only knew the route to the border but had never been to China before. Thus, when they crossed the border they simply followed the guide and took orders from the brokers.

It is clear that the boys have very low awareness on the risks of being exploited and being trafficked. The boys said that, at that time, they never think about *“trafficking in persons”*. None of the boys consider themselves *“trafficked”* but feel they have been deceived about the type of work and the working conditions.

It seems that the boys cannot imagine the possible risks that may occur when they cross the border to work. The five boys who were deceived by the relative stated that they started to be suspicious only when they had been transferred via three brokers:

“When they took us to the train to Con Minh, we said that, we were probably being deceived, we asked ourselves whether we could come back to Viet Nam or not.”

(IDI, boy victim No. 4, 16, Lao Cai).

When they arrived at the destination (a brick kiln), another worker from the Dao ethnic minority working in the same brick kiln told them that they were sold to work for their owner. The owner paid 30.000 RMB, equivalent to 4615 USD³³ at the time of interviewing the five boy victims.

The parents were also unaware of the methods and techniques used by the brokers to deceive them.

“My child is still young so he knew nothing about being deceived, nor did I.”

(IDI, boy victim No 4’s father, 44, Lao Cai).

5.2.2.3 Recruitment methods

Acquaintances or relatives recruited all seven victims. The five boys working in the brick kiln were recruited by the aunt of one of the victims, who acted as the broker. She is a Vietnamese – Chinese woman who married a Chinese man and lives in China. Although living in China, the broker still visited her relatives and kept in contact with them. In 2007, the broker came back to the village and told her nephew that she wanted to recruit some boys to work in China, promising a high salary. Hearing that, the boy told his friends in the village. When they heard about the opportunity for a job with a high salary from the broker, they agreed to go with her immediately. Although this was the first time for the boys to go abroad, the broker asked the children to not bring along anything but some clothes. She first took the boys to her home in China before they were moved via two other brokers to the brick kiln in a remote area.

The boy trafficked to Cambodia was told by his erstwhile employer that he had work in the Mekong Delta, cutting . His employer took him straight to Cambodia and left him with the other two young men and three young girls on an island where he was supposed to work as a farmer.

5.2.2.4 Transportation process and routes

All the victims crossed the border illegally without any travel documents. The broker or the employer paid for all the transportation costs and other related costs. The five victims who were trafficked into China were first transported by coach to the border, then had to walk to cross the border. Once in China, were transported by train and by car to their destination. It took them three days after having crossed the border to reach the brick kiln.

During the first part of the journey, the aunt accompanied them into China. In China, they were moved through two transition places. At each transition place, the broker changed. In total, they were transported via three brokers before arriving.

“I was informed that the lady took the boys to China. When they got to China, she handed these boys over to her son in law in Pan Cha Hoa village then he sold the boys to another person.”

(IDI, boy victim No. 5’s father, 41, Lao Cai)

The boy victim trafficked to Cambodia was also taken to cross the border illegally without any travel documents. Two young men and three young girls between 18 and 20 years old were trafficked with him. They travelled by boat.

5.2.2.5 Exploitation

Working conditions:

The five boy victims reported that they had to work long hours and under hard conditions. They lived and worked with Chinese workers in the same place in a brick kiln in a remote area. Here, the boys had to work from 6 am to 6 pm. Every day, they had to make brick, transport it to the kiln, and fulfil other tasks.

“Unless it rains for the whole day, production is continues right after the rain stops. It is tiring to load and unload bricks and ride the cart carrying the bricks to the oven for brick burning. When selling bricks, I have to load the brick up the cart and ride the cart up – it is extremely exhausting. For each worker, 3,000 pieces of brick must be made a day – a worker must work hard from early morning to night.”

(IDI, boy victim No. 1, 18, Lao Cai)

Not only were they forced to work long hours, but also to work with no day off. They did not feel there was any opportunity to negotiate any change in their work conditions. In addition, they were sometimes beaten if they worked too slowly or made a mistake.

“At first, they showed us kindly, after that if someone was lazy, they would beat us. One day, it was raining, and my friend and I did not cover the brick. The boss scolded us and spit in my face. Then we ran away but came back after the boss covered the brick.”

(IDI, boy victim No. 1, 18, Lao Cai)

Living conditions:

The employer gave 50 RMB (7.69 USD) for each boy as weekly living allowance for food and other necessary items. The boys spent all their money on food, which they bought from one person who came every morning to sell food products to the workers. The victims had to cook for themselves and spend the money carefully so it would last all week. They lived in a camp together close to the workplace. There was no time and place for any kind of entertainment but only time to rest in the evening.

“I am too tired to go anywhere in the evening and, anyway, I do not know where to go around here because surroundings are forest and hill.”

(IDI, boy victim No. 2, 18, Lao Cai).

Tiredness, not knowing the terrain, being in a remote area and communication barriers make it difficult for the boys to create any outside contact. The food vendor was the only contact that the victims had outside the brick kiln.

Strict management/ restriction of movement:

All boys reported that they suffered from restricted movement. The children were not allowed to go out and were kept in the work places by the owner. None of them could speak any Chinese so they just worked and slept at the place of work without any communication. Apart from the language barrier, however, the main restrictions were the detention-like conditions enforced by the owner.

“There were safe guards at the work place so if someone tried to run away, he might be beaten to death. When F (Victim No 5) escaped, he saw four or five persons holding long canes and looking for him in the bus station. As it was bright in the bus station, he risked being discovered so he had to hide in the forest for one night and went out in the next morning to catch the coach.”

(IDI, parent of boy victim No. 5, Lao Cai)

Owners threatened children with punishment if they tried to escape. They also claimed that the local police would arrest the boys, as they did not have any legal travel documents, which contributed to the children’s fear of trying to contact anyone for help. .

“They did not let me out. On a rainy day, you could go out, but you not during work time. They said that the police would arrest us as we had no identification and the money for releasing us (from police custody) would be charged to me.”

(IDI, boy victim No. 1, 18, Lao Cai)

Income:

None of the five victims ever received any payment except the 50 RMB (7.69 USD) spending money per boy per week. They never received the promised monthly salary of 1500 RMB (230 USD) for the 3

months working in the brick kiln. It was claimed that the wages were used to pay back for the travelling cost for the boys from Viet Nam to the work destination.

“When I asked for the wages, I was told that the wages are not enough [to cover] for my travelling from home to here. So the owner said that I could not ask for more.”

(IDI, boy victim No. 1, 18, Lao Cai)

The work was very hard and most of the boys wished to escape but the money the children received was not enough to return home. After returning home, the boy victims had no money to restart.

“My child told me that he was tricked to work – they promised lots of money so he followed them immediately as no one dislikes money. He was tricked and returned home without any money as all was taken by the owner.”

(FGD, parents of boy victims, Lao Cai)

5.2.2.6 Return & Reintegration

All the victims from Lao Cai were self-returned with the help of individuals from the same ethnic minority, also working in the brick kiln in China.

They left in two separate groups. By saving money from their small weekly allowance, two boys escaped with the help and the guidance of some Chinese from the same Dao ethnic minority. It took them one week to get to the border by coach. They had to take around ten different buses. The boys had to stop to work along the way to get enough money for the next bus fee. They crossed the border by boat. Then the other boys went home the same way with the help of the same Dao Chinese ethnics about one week later. In total it took all boys two weeks to return to their homeland.

The two victims who escaped on the way to the destination received support from the border guards and the Chinese or Cambodian police. The boy trafficked to China ran to the Chinese police station and was kept there for one month before being sent back to Viet Nam border guard command in Lang Son. He specified that during the time staying there, he was well treated.

It is important to note that the boys were not identified as trafficked persons by the law at the time of returning in 2007. The boys were older than 16 years old at the time of return and the former Penal code addressed trafficking in women and children only.³⁴ However, a year later with support from a project supported by an international organization, all the victims in Lao Cai received a full package of assistance for returning trafficked person through the Lao Cai DOLISA. They received life-skill training, including interpersonal communication skills, cultivation and cattle-breeding, as well as receiving psychological counselling, health check-up and provision of voluntary testing of HIV. The training lasted for one month. Each boy also received an amount of two million VND (96 USD) for initial support to buy breeding animals and to repair the corrals for raising cattle. This support was provided to the boys and young men as a result of a combination of different sources from the local programs, including poverty alleviation and support by an international organization. This shows that funds originally aimed at providing support for returned children and women only, has now expanded to also cover the young men. At the time of this research, three of the boys are working as farmers at home, one boy joined the army, and the other is a migrant worker in Malaysia.

The cross border trafficking case to Cambodia received support for meals, health check-up and counselling during his stay at the receiving/supporting centre and at the border guard office as well as support for travelling home according to Decision 17. The same support was given to the other victim (No 6) from Lao Cai to China during his stay at the border guard office. In addition, the boy trafficked to to Cambodia received an amount of one million VND (48 USD) for initial difficulty support from the DOLISA at his place of origin.

When asked about their needs for return and reintegration assistance, the three boys in Lac Cai expressed their need to develop job skills. They want to study motorbike repairing but this kind of vocational training is unavailable in their province.

5.2.2.7 Gender analysis

Most of the key informant and victims think that boys are usually trafficked for the purpose of labour exploitation. Upon return, they bear less discrimination from community because the community does not think that they could have been sexually abused and exploited. Moreover, the concept of virginity for boys is not as important a social consideration for boys as it is for girls. The victims in Lao Cai stated that they did not face any discrimination from anyone in community. Rather, they revealed that they even got the sympathy of the community for being deceived to work under such harsh conditions in China.

In contrast, girl victims of trafficking often have to bear stigma from people in the village. The following statement is from the younger sister of a boy who was also trafficked to China:

“At the time I returned home, they [community members] commented about me a lot, they said I was trafficked to work as sex worker. I was sad but I had to live. After one year, there were fewer comments and talking. My parents advised me to try to bear the stigma.”

(IDI, boy victim No. 1’s sister, 16, Lao Cai)

Local authorities reported that return and reintegration assistance provided was the same for boy and girl victims. Even though the local authorities in Lao Cai tried to design a different vocational program for boys, such as on-the-job training on cultivation and cattle-breeding at the localities, there was not a wide range of vocational training and job opportunities tailored to the boy needs. It is noted that when the boys received support in 2008, there was no precedence to support boy/men victims, thus the package to support these victim was mostly based on the practice to support girl/women victim.

5.2.2.8 Conclusion

Knowing the destination or the route beforehand is one way to reduce the risk of exploitation or trafficking, but none of the victims had this information even though they were going across the border. Similarly with the children trafficked domestically, most had a low understanding on safe migration and the risk of being trafficked.

Poverty and unemployment are the main factors that made these seven boys vulnerable to trafficking. Before the broker contacted them, they had already considered engaging in labour migration. When the broker promised opportunities abroad, it was easy to convince the boys to follow.

Most of the boys followed the brokers across the border illegally making them further vulnerable to threats by the broker and limiting their perceived scope to search for help. They did not take any specific preparations before departure and lost their bearings quickly en route. All these factors enhanced the control the broker and brick kiln owner had over them and would have made an escape without outside assistance next to impossible.

5.2.3: Street vendors

5.2.3.1 Background

Four boys who had worked as beggars from Quang Xuong in Thanh Hoa district and one boy who worked as flower vendor from Hue have been accessed for this research. One of them was trafficked at the age of 8, one was trafficked at the age of 12, and the other three were trafficked at around age 15.

5.2.3.2 Contributing factors

Three out of the four boys from Thanh Hoa had quit school earlier than normal students. Two boys left home to work when they were only 8 years old and already suffered from substantial pressure to earn money to support their family. The income-generating pressure is similar to that experienced by the boys who work in the garment factory discussed earlier.

“ My family is very poor, my brother was sick so I want to help my mother. I was only 8 years old.”

(IDI, boy victim No. 1, 12, Thanh Hoa)

Disruption of schooling left the boys with nothing to do and pulled them to migration for job seeking and income earning. In the migration and earning process, a lack of understanding on the risks and prevention practices lead to boys being abused or trafficked in different ways.

Two of the boys from Thanh Hoa left home when they were 15 years old. Interviews with the abused victims and their parents and friends showed that the boys wanted to earn money, which pushed them to migrate in order to seek better job opportunities. Their desire to leave home and work in the cities was strengthened by seeing their peers return from labour migration with modern clothes and other accessories. These two boys did not get the agreement of their parents before they left the family. Following the broker's advice, they secretly escaped from home.

They brought neither money nor personal papers with them and hardly any clothes. The broker or owners paid for food, transportation during the trips.

5.2.3.3 Recruitment methods

In all cases, the brokers and owner promised the children that they had a job in HCM City and asked the boys to go with them. The two 15-year-old boys did not know what type of job they would be expected to do in the destination area. They were promised a job with good income (1 million to 1.5 million (48 to 72 USD) per month in 2007 and good clothes, so they were willing to go with the owners. For the other cases, the boys had been told that they would sell lottery tickets. In one case, the boy received an advance payment of 300,000 VND (14.5 USD) for his mother before leaving home.

5.2.3.4 Transportation process and the routes

The three boys from Thanh Hoa who escaped secretly from home gathered together at night, and followed the brokers.

In all five cases, the owner or broker accompanied the children to HCM City and covered expenditure from departure to destination, such as food and travel costs. This is a common occurrence and ensures that the children accept any type of work and working conditions because they do not have any money for a return ticket. In addition, they would have to reimburse the travel costs to get to HCM City if they refuse to work. The brokers took both girls and boys together to the city.

5.2.3.5 Exploitation

Working conditions:

The boys had to beg and sell lottery tickets on the streets. The children had to wear worn clothes and were forced to beg for at least about 200,000 VND (9.7 USD) per day. If children could bring back more, they would be fed better. If they could not beg for enough money as requested by the owner, they would be beaten and mistreated.³⁵ The children were all exploited and maltreated. Every day, they had to work from 7 or 8 am to 11 pm.

"I had to earn at least 400,000 – 500,000 VND (19.3 – 24 USD) a day in order to not get beaten. I always had to get up early at 3 am and work till 11 pm. I had to return the inn for lunch and then continued working until night. The owner would send money to our families monthly."

(FGD, boy victims in Thanh Hoa province)

The children selling lottery on the streets were contracted to sell at least around 200 lotteries tickets (or 200 flowers if the child sell flowers) per day. Some children sold lotteries and begged for money at the same time. If children could not gain enough money, they would be verbally abused and beaten.

"I begged for money in a group of children and had no identification or contract. The salary as promised was 300,000 VND (14.5 USD), but I did not receive any at all. I beg from the morning till 11 am and then had lunch and took a nap. At night, I work from 12 pm to 5 am. If I could make enough

money, it was good. But when I could not, I would suffer from severe physical and emotional violence. They have beaten me 45 times.”

(IDI, boy victim No. 2, 8, Thanh Hoa)

The owners supervised the children constantly: there always someone there to follow the boys to prevent them from taking or hiding money.

“He took all the money, he checked everywhere even inside the clothes. He also kept a close eye on my son when he sold lottery tickets on the streets. If any child were wise enough, he would go for some food when someone gave him extra. For example, the lottery ticket was 5,000 VND (0.24 USD) and the customer gave 15,000 VND (0.7 USD) to the child.”

(IDI, mother of boy victim No. 1, Thanh Hoa)

“An adult took me along. That was a man, about 35 years of age. The man supervised 4 children. Some children could not earn enough money and they were beaten. They used a whip to beat us.”

(IDI, boy victim No. 4, 15, Thanh Hoa)

Some children disabled by beating. Another child was forced to use drugs to become temporarily blind to make it easier for him to beg.

“ We were led in small lanes where we are not familiar. I have to close my eyes and a small child led me. They forced me to use some kind of drops to make me temporarily blind, I had no idea about the drops.”

(IDI, boy victim No. 1, 12, Thanh Hoa)

Strict supervision of movement:

Children who were being forced to earn money through begging were constantly supervised by the owner or by peers to prevent them from escaping or keeping any money for themselves. There was always someone to watch them while they were working; they were locked inside the house when they were home.

“I cannot move around freely as there is always someone to supervise me. Usually, two children or one child and one adult create a pair for cross supervision. If one of the two escapes, the child left behind will be punished. Thus, the children supervise each other closely.”

“Yes, they keep a close eye on us, they always sit in the surrounding area of the location where the child is working”

(IDI, boy victim No. 1, 12, Thanh Hoa)

Living conditions:

For the children working as beggars, the owner hired a house for a group of children to sleep in. The living conditions are also very poor:

“The living place is small and dirty. Ten of us share a room of around 4 meter square. The children are small, from 10 to 12 years of age, the oldest 15, trying to have enough space for all. We have a toilet. There are 7-8 rooms. Other rooms are for adults, just ours is for children.”

(IDI, boy victim No. 4, 15, Thanh Hoa)

The children had a very hard life, had to work very hard all day to earn the money for the owner. They have no time to rest, to study or to develop. The primary desire for most was simply sleeping.

“For all of us, life means working and sleeping. Our work is hard so after work we cannot think much: we just sleep. There are no educational or entertaining activities for us ... if we do not go to work, we just stay inside and sleep; we do not play or contact anyone. I want to make friends, but after work I am always so tired and go to sleep.”

(IDI, boy victim No .4, 15, Thanh Hoa)

5.2.3.6 Return and reintegration

The police and DOLISA rescued all the victims from the destination. They received funds to return home, such as to support travel costs and meals. It is important to note that most domestic trafficking cases for labour exploitation are referred to the Social Protection Centre or the Youth Vocational Training Centre. In these centres, the victims stay in a safe place and receive a health check up and counselling and meals before they return home. The two shelters working with boys included in this study sometimes receive suspected boy victims of trafficking. However, the social workers revealed that they did not receive any special funds for supporting victims as they are not part of the supported Centres indicated in the border areas.

Two boys were encouraged to return to school but neither is still studying at the time of interview. All of the interviewed boys are now working, two of who have migrated again into cities to find a job. For all the older boys, the main need upon return is a job. The younger boys (12 years old) expressed that the biggest need for them after the rescue is the psychological support.

5.2.3.7 Gender analysis

At the first instance, when asked about the risk of migration and working far away from home, boys in Thanh Hoa think that boys are facing less risk than girls. That is because the main concern for them was sexual abuse; the abuse of their labour seems less harmful or less serious. Therefore, allowing boys to live away from home has not been seen as a difficult decision for their parents and the boys' when deciding to migrate for labour. At the same time, they did not have a good understanding of the risks of labour exploitation. They are aware that both boys and girls can be required to work under hard working conditions but pressure to find an income-generating job is seen as very strong. As such, they accept almost any job offers made by the brokers and put themselves at risk of being labour exploited.

When asked about trafficking in persons, they associate it with trafficking in women and girls only and only for sex work or marriage. They are not aware that the definition includes the exploitation of labour and the trafficking in men and boys. For this reason, when trafficking does happen, it is not identified as such. Respondents were aware of trafficking and especially of labour exploitation; they simply called it by a different name. This awareness, however, is low, and does not translate into safe migration behaviour.

Both boys and girls participated in begging on the streets but according to the interviewed ex-child beggars, more boys than girls seem to be involved in begging. The reason why there are potentially more boy beggars than girls remains unknown. Boys and girls were punished and beaten the same way when they could not earn enough money.

5.2.3.8 Conclusion

Study results shows that disruption of schooling is a key factor leading to labour migration. The limited opportunities at home and the desire to support the family push them to migrate out of homeland for seeking opportunities.

It is clear from the interviews with victims that most of the boys left their families without knowing about the specific destination as well as the type of work that they would do, they followed friends or villagers when asked to. The children were also not aware of risks that they would face at the destination areas rather than living in a big city may be different from home. With a very low understanding of the risks of labour exploitation and trafficking, these street children had been forced to work under slave-like conditions, under the very strict control of the owner.

5.3: Sexual exploitation

5.3.1 Background

In this research, sexual exploitation and abuse victims account for 24 cases out of 82 cases. When they were trafficked for sexual exploitation, the youngest was at age of 14 (information on ages at trafficking time of two boys was missing). Among those 24 cases, 3 cases were under 16 years old, 5

cases were at the age of 16, 12 cases at the age of 17 and 2 cases at the age of 18 when they were trafficked. The average age at the time of trafficking in this group is 16.5 years old.

For this group, the age of the victims is higher than the working children and the street vendors. Their education level is also higher since almost half of them (10) were in secondary school, 11 were in higher secondary school and three of them were studying or had studied at college.

All of the interviewed victims were identified and interviewed in HCM City. Most of them come from the Mekong Delta and the Southeast region with only two cases from Hanoi. All of them belong to the Kinh ethnicity. Six of the 24 boys have lost either father or mother or both. A few boys mentioned that their parents had divorced or had problems.

All of these boys are now living in HCM City, with three of them living alone and 21 of them living with their friends or partners. Of these, many are still staying in brothels or at their workplaces. One of the boys is now living with his wife. Three of those boys are married and a few of them used to live with female partners in the past.

At the time of research, all the boys were still engaged in sex work but some found an additional job and continue to be only occasionally engaged in sex work.

5.3.2 Contributing Factors

Through interviews with children from different areas, it becomes clear that parents who neglect their children may contribute to initial migration movement of some boys and increases their vulnerability to being trafficked. Some boys lack parental care; others come from poor families or from families experiencing conflict. Most of the boys in this group come from more disrupted families than those in other groups, and this disruption has contributed to the boys becoming estranged from their families. When the boys leave home, they land on the street, to new and strange places and are vulnerable to being deceived or trafficked into sex work.

One victim confided that, *“I said I lack affection from [my] mom, and I also need love from [my] dad, why does he not spend their time to care for me but he only cares for mom. Many times, mom was not right but dad stood up for mom.”* (IDI, boy sex worker, victim No. 5, 19, Binh Duong)

Peer pressure also is a factor that is pushing children to leave the families: boys stated that they went with their friends to find work and to travel to other cities. They then became vulnerable to abuse by the brokers and traffickers.

Other studies have found that social networks consisting of family, friends and acquaintances from the same community of origin play a major role for urban migrants at the area of destination. They help to find jobs and offer emotional support (JPGE, 2011). However, the interviewed boys who ended up being trafficked for sexual exploitation lack such networks, further contributing to their vulnerability. The fact that they migrate spontaneously and with no prior organization such as organising contact details of community members in the area of origin significantly enhances their risk of exploitation.

5.3.3 Recruitment methods

Usually the abuser starts by making acquaintance and goes around with the boy and gives some incentive, which ends up with sexual abuse. The abusers usually show that they are a rich and caring man; he may buy something for the boy and take the boy to have dinner and to go out. He does that a few times before trying to push the boy to get drunk and then takes him to the hotel to have sexual intercourse. They may also make the boy drink alcohol, let the boy watch a pornographic movie and then take the chance to have sex when the boy is sexually aroused. This form is usually applied with the boys who are acquainted with the trafficker or broker. A pagoda monk recruited one boy this way. After he had sexually abused the boy, he introduced this boy to two other monks before sending him to the brothel.

The trafficker may go to places like pagodas or tourist spots where boys work as vendors. He Approaching the boy, the trafficker may ask him for a tour of the tourist spot. The trafficker may

then, ask the boy for small favours, for which he pays the boy well. The trafficker may then suggest to the boy to come and stay in a hotel with him, and then propose to have sex with the boy.

The boys were also recruited directly or by chatting on the internet: Similarly to those trafficked for labour exploitation, the broker may go to the place where the boys live and approach boys who are looking for jobs. They also promise the boys a job with a high income, such as working in a restaurant, cafe or as a salesperson. The trafficker may also make acquaintance by chatting over the Internet and advertising fake job proposals. If the boy agrees, the broker comes to take him to the city. When the boys go to the city, they may live with the trafficker/ broker or they may stay in a rented room. After a few days, the trafficker may say that there are currently no jobs available except for one that is *“a bit sensitive but leisured work”*. The boy has no more money to return home and does not even know how to so he has to accept the offer to engage in sex work.

The traffickers and brokers are usually the first person to have sex with the boy before the boy works as a sex worker in the city. The trafficker or broker who first approaches the boy is called *“Ma mi vung ngoai”* (“outside area broker”) and the trafficker who manages and controls the brothel is called *“ma mi vung trong”* (“inside area broker”). The recruitment and subsequent control process is thus systematised.

Most of the interviewed boys in this group, travelled to the city without having a job organized beforehand. When asked about what they expected to do in the city, many boys who are now sex workers cannot name a job. They state that they would have engaged in any income generating activity. When the boys could not find any work, lacked social networks at the area of destination and had no money left, it made them much more vulnerable to be approached by traffickers. The traffickers typically approached boys who were sleeping in the park and were obviously in a desperate situation and offered to help.

The interviewed boys claim that they were not aware that boys also may be sexually abused, which increase their vulnerability. They think that there is no risk of sexual abuse when two boys share room so they are not wary when the broker suggests they stay overnight with other men in the same room.

5.3.4 Transportation process and the routes

The form of transportation is the same for the sexual exploitation cases as for labour exploitation mentioned above. The main difference is that the broker does not pick up a group of boys but travels with individual boys. Instead of travelling in a group, the broker or owner approaches case by case and picks him up to the destination by his own mean of transport or public transportation. The trafficker or broker covered the costs of transport. It seems that the broker or trafficker was helping the boy but in fact any initial spending would be deducted from their salary once the boy had worked for a few months.

5.3.5 Exploitation

Becoming sex workers:

Once recruited, they boys were tricked and forced to participate in sexual activities. Afterwards, they were transferred and sold into sex work.

“When I arrived, I was sexually abused by Mr. X. One night he raped me when I was sleeping. He recorded it on film and took photos as evidence for threatening and controlling me. Then he showed me the film and photos and forced me follow what he said. If I reject him, he will send the photos to my mother and disseminate the film. I participated in sex work after that. All of my identification was kept by him.”

(IDI, boy victim No. 10, 18, Soc Trang)

There were two types of sex work. The first type was working in food stalls, cafés, massage parlours or restaurants. The children work and stay in these establishments and engage in sexual services when asked. For those who work in massage parlours, they work in four hour shifts. After that,

children were free to receive their clients. The second type was working in brothels, hidden in the houses and hired inns.

“When we go out, we look like others. No one noticed us. At first, I had no contact with the outsiders. The house is located in a small lane, the neighbours just think that we are hired workers and hire the house for accommodation. There are separate rooms inside the house for receiving clients.”

(IDI, boy victim No. 5, 17, Binh Duong)

For new comers, the establishment owners use different methods to keep and force them to receive clients. For some children, the owner gives money in advance. Once the children were in debt, they had to obey the owner to repay the money to him. Others were controlled and threaten as they did not have any identification documents and were unfamiliar with the place.

“In general, I was depressed so I did not go out much and they did not allow us to contact our family. They told us not to talk to the neighbours. If someone asked, we just told that we were relatives staying in the city and working. At that time, each of us was paid 30 or 40 thousands (1.5 or 1.9 USD). He said: “Staying or not is up to you. If you do not want to earn money, you can go back home. I cannot afford you”. At that time, I agreed to work for him, but in fact I did not want to do so. If I did not work for him, I had to leave. Then he said he would report police to arrest me, as I did not have any identification. I was a new comer and had no idea of the city, even now I still get lost. At the time I did not have any documents. That is why I could not run away”.

(IDI, boy victim No. 6, 15, Dong Thap)

For other children, the owner kept their identification documents and threatened to tell their parents that they were sexually abused.

“At that time, I was unable to run away as I did not know the city. But now I feel regret, I do not know what to do now. I am afraid that he will tell my family what I have done”.

(IDI, boy victim No. 22, 15, Tien Giang)

For some children, the owner did not pay wages. They kept their money as a way to force them to continue working for them.

“On that day, I had to receive some clients. For each time, I got 150,000 VND (7.3 USD) of which 60,000 VND (2.9 USD) was for him and the rest was for me. But he kept all and said that he saves it for me.”

(IDI, boy victim No. 22, 15, Tien Giang)

After a while, most of children then gradually accept to operate as sex workers due to the need to earn money and recognition that it is a way to earn more money than through other types of work.

“After working for a long time, I did not want to return home. If I try to escape, they will beat me to death. I do not want to ask for help as I did wrong things. I am afraid that I will be arrested by the police as sex worker and treated [badly] as video clips have been showed in the Television and Internet. Moreover, I have a lot of money and a good life so I don't have any intention to stop”.

(IDI, boy victim No. 10, 18, Soc Trang)

“A normal worker can earn only some hundred thousand per month, but I can earn some hundred thousand a day by working in sex work. I think I can earn lots of money now and do not want to work as a normal worker. And I will stop and continue my study someday.”

(IDI, boy victim No. 7, 16, Dong Nai)

Working conditions:

Once the boys agreed to engage in sex work voluntarily, the boys reported that they can work better working hours. All of the 24 boys who work as sex worker have to work 7 days per week and serve clients nearly 24 hours. However, they do not usually work much during daytime. The male sex workers who live in a brothel only has to work when the client comes and selects them. On average, *Exploratory research on trafficking in boys in Viet Nam*

each boy serves from 2 to 4 clients or more a day. The term used frequently when asked how many client they can have a day is “Hen Xui - Good or Bad Luck”. There are not many differences between the boys who work in the brothel or are self-employed sex workers in terms of working hours and working time. Their daily work is satisfying clients’ sexual demand at the time required.

“Every day, I had to receive clients. The owner had a café where the clients could choose the one they liked. There were 10 rooms, 4 of which were for us and the other six were equipped with air conditioners for receiving clients. I had free time from 6 am to 2 pm. From 2 pm to 11 pm, I had to stay home to wait for and receive clients: from 5-6 pm to 11 pm, I sat in the café for clients to choose and receive clients. From 11 pm to 2 am, I could go out. From 2 am to 6 am, I had to stay inside to wait for and receive clients. There was no day off for me. When I was sick, I did not have to receive clients. After a long time working for them, I could ask for 1 or 2 days off. There were 15 to 20 sex workers in the café.”

(IDI, boy victim No. 18, 17, Ninh Thuan)

There were some different ways to divide between the owner and the boy sex workers. Usually, the clients have to pay from 60 to 100 thousand VND (2.9 to 4.8 USD) for the room and the boy had to pay the owner from 10 to 15 per cent of tips gained from the clients. Other owners divided the tips approximately divide is half and half: if clients paid 150,000 VND (7.2 USD): 70,000 VND (3.3USD) was for the owner and 80,000 VND (3.8 USD) was for the boy.

In some cases, the boys knew that the owner kept the tips, not sharing them with the child.

“Someone gave me 30,000 VND (1.5 USD) or 40,000 VND (1.9 USD) and the tips were given to me by the owner, not from the clients so I did not know how much the tips were. After a while, I got to know that the owner kept a lot for him and gave a little to me. Because when I stayed with a client, he told me that he paid him around 200 (9.7 USD) to 300 thousand VND (14.5 USD) for each time, but the owner only gave me 40,000 VND (1.9 USD) for each time.”

(IDI, boy victim No. 6, 15, Dong Thap)

Even if the owner did not take the tips, some charged the boy high charges for room and service fee which left the boy with little money.

“I think they exploited me. Why so? Because I did not earn much when I worked for them. But I could have earned much more when I work on my own. When I still worked for V, I rarely had money as he always took much.”

(IDI, boy victim No. 9, 17, An Giang)

As mentioned above, once children accept sex work and work for the owners for a while, they can work on their own. However, they then need to seek out their own clients. If working for someone else, they may have regular clients or the owner advertises the sexual services. As such, even when the boys were free to leave, many of them still chose to stay with the owner as it guaranteed a stable income:

“Time was strictly managed when I work in for the owner. But it was more stable as there were many regular clients. It is more costly for travelling when I work on my own.”

(IDI, boy victim No. 7, 16, Dong Nai)

The owner and/or clients beat some children, or the owner forced them to have sex with clients.

“At that time, one client ask me to let him in by stabbing [anal intercourse], but I did not agree and ran away. The client told V and he beat me. V said that I had to try as I agreed to work for him.”

(IDI, Boy victim No. 9, 17, An Giang)

Also when serving the clients, boys also have to satisfy some strange and uncomfortable behaviours of the clients

“Yes, some clients were very sick. They liked beating others while having sex and urinating on my body.”

(IDI, boy victim No. 5, 17, Ca Mau)

Having to serve and satisfy many clients, many interviewed boys also expressed that they suffer from trauma and physical damage.

“Yes, it was painful even when I used lubricant because anal was not elastic. It was extremely painful when I washed. Moreover, anal intercourse may result in sexually transmitted infections.”

(IDI, boy victim No. 5, 17, Binh Duong)

Risk of HIV infection and other sexually transmitted diseases was high because most of the child sex workers did not use condoms for the first times.

“I pay for you and I was told that was for A to Z³⁶”. “But I did not understand that from A to Z means sexual intercourse”. If I did not agree to do so, he went out and I had to go. It was really hard. I thought so and I stayed and did not care about using condoms. Moreover, for rural people, condoms were so strange. When I learnt about condoms, I know it was useful but at that time, I did not know how to use it. ”

(IDI, boy victim No. 15, 17, Ben Tre)

Even many of the boys who had worked for a long time did not have good understanding of HIV prevention:

“Using condoms or not depends on the clients’ look. Some treated me very well like real sex partners, but others could treat me differently because they pay for me. For those who considered me as their sex partners, I did not use condoms.”

(IDI, boy victim No.4, 16, Vung Tau)

The boys’ use of drugs, including ecstasy was quite common. They often used drugs with their clients.

“Now I go ice dam. “Dap da”, it is type of drug, looking like this and ecstasy. My client asks me to use it. I am not addicted but if I do not have it for long time I feel like using it. It makes me and my clients feel more excited.”

(IDI, boy victim No. 8, 17, An Giang)

Some boys mentioned that their clients make videos while having sex with them, but they did not know what the clients use the video for.

Living conditions:

The boys who work in a brothel also live there. The boys who work in hidden sex work service shops (such as food stalls, café, massage parlours, restaurants) either stay there or rent a room. They can go out but have to return when clients arrive and the owner calls. If they go with their own clients, they have to pay the owner a commission.

“If I tell a lie the owner will sack me or punish me. For each time, I have to pay the owner 50% or I have to give notice if I have my own client and I have to pay the owner 50,000 VND (2.4USD) for each hour. I can go for 1-2 hours.”

(IDI, boy victim No. 17, 16, Dong Nai)

The boys tend to have a higher disposable income than those engaged in other jobs. As such, when they are not servicing clients, the boys spending their time in drinking, playing games and gambling. This life style appears to be very common among boy sex workers.

“Having money, I got drunk and played games, etc.” (IDI, boy victim No. 7, 16, Dong Nai)

“I gambled until I run out of money. When it is easy to earn money, I became spoiled. That was why I have worked for several years but don’t haven’t saved much.”

(IDI, boy victims No 8, 17, An Giang)

Currently, there is one boy who is living with his wife and three of the boys are married. None of them were married at the time of abusing and trafficking. A few of the boys used to live with female partners.

Income:

Usually the boy sex workers do not have a fixed income but their income consists of tips of clients. Thus the income of each boy depends on his looks, his services, link with clients and his relationship with the owner of the brothel. Boys revealed that their income ranges from 3 million (145 USD) to 20 million VND (968 USD) per month.

“For each time, I had 300,000 VND (14.5 USD). I gave the owner 50,000 VND (2.4 USD) and another 20,000 VND (0.97 USD) for the room. I paid 250,000 VND (12 UDS) per month and stayed in a room right in the house. For food, mobile phones and other things, I paid myself. If I have no client, the owner gives me some money in advance and I have to pay high interest.”

(IDI, boy victim No. 9, 17, Can Tho)

5.3.6 Return and reintegration

Rescue:

At the early stage, when the owners were abusing the boys, the trafficker used different means to keep the boys under control. Once the boys had been voluntarily accepted to work as sex workers and work for the owners for a few years, a few boys had been able to leave the recruiter/broker to work as free-lance sex worker in HCM City. They reported that they escaped from the broker when they had gained enough experience about their work, created a network of clients, and knew the city well.

All of the boys are now still engaged in sex services³⁷ but a few of them are at the same time doing other kind of job such as salesman, guard or waiter and some even study. Most of the boys said that they would stop the sex work job someday and wish to learn some skills or have some vocational training to find a different job later in their life.

5.3.7 Gender analysis

Interviews with local government officials and community people showed that boys were considered more vulnerable to labour exploitation than sexual exploitation.

Interviews with boys showed that at the beginning, the boys are not aware about their risks of being abused or exploited. Moreover, the boys themselves have the desire to earn money in the cities, to be able to buy modern clothes and other accessories. Boys in this group seemed more eager to leave their community of origin; they seek the challenge and adventure to seek a job in the city. Many of the boys do not migrate to support their family, which is different to the boys that are exploited for their labour. As mentioned above, in many cases, family disruption has pushed the boys away from the family suddenly. Most of the boys lack preparation for migration and awareness of possible exploitation. Many boys leave home without having any specific job to go to in the cities. They expect to just find work when they arrive. This is quite different to the other cases in the labour exploitation groups, whom already had an identified workplace with an expected job when they left home. When first meeting the broker, it does not occur to the boys that they may be sexually abused.

It was claimed by a few boy victims that the public discrimination is more severe for girls than for boys as they have to be good girls until their marriage. Generally, it is easier for the boys to hide their engagement in sex work, as the community does not expect it. However none of the boys have returned to their community of origin so it seems unlikely that they could accurately evaluate the discrimination.

The police will arrest both boys and girls if they are suspected to be involved in sex work. The interviewed boys also claim that there is no difference in the ways police treats the male sex workers and female sex workers. However, no boy sex worker reported that they had been put into the social education centre, common procedure for arrested female sex workers. Some boys reported that if they encountered any problems with the police, the owner or even the relative of a client resolved the problem for them. Boys also reported that when being caught in a hotel, they claim they are staying with friend - when the police checks with the authorities in the community of origin and receives the confirmation that they are registered there, they are released. Thus, it seems that whilst the boys perceive the police to treat male and female sex workers equally, they actually find it easier to leave custody than their female counterparts.

5.3.8 Conclusion

This research has revealed that boys are indeed trafficked for the purposes of sex work and sexual exploitation. Even though most or all of the boys were deceived into sex work and sexually abused at the beginning, at the time of this research a few were now voluntarily working as sex workers.

Many of the families and the boys in this group have been faced with difficulties: parents neglected their children's education and care. Most of the interviewed boys in this group travelled to the city without having a job organized beforehand. The boys were also unaware of the risk of sexual exploitation, which increased their vulnerability. The sexually abused boys and sex workers had been recruited, then tricked and forced to participate in sexual activities before being transferred/sold/introduced to sex work. For newcomers, the establishment owners use a variety of methods to keep them and force them to receive clients. After a while, many of children then gradually agree to engage in sex work due to the pressure to earn money and recognition of the possibility to earn more money than through other types of work.

5.4: Adoption

In this section, the report outlines the trafficking in boys under two methods, abduction and illegal adoption. Adoption was reported as the main purpose of these trafficking cases. However, concrete evidence for such a conclusion is not explicit, as described below.

5.4.1: Abduction

In this study, abduction cases were found in Ha Giang province – a border area with China. In Ha Giang province, 22 abduction cases were detected and/or rescued between 2007-2010³⁸. Ten of these rescued victims were interviewed for this study. Most of the interviewed boy victims (6 cases) were younger than ten years old at the time of interview (January 2011). As such, parents or social workers were interviewed as proxy interviewees for the child.

5.4.1.1 Background

The boy victims were between 1 and 11 years of age at the time of abduction. Most boy victims (8 cases out of 10) are of the Mong ethnicity and two boys belong to the Tay ethnicity.

The parents of five of the boys were killed in the course of the abduction. Of the five boys whose family members were killed, three boys are now housed in a Social Protection Centre and Vietnamese families have adopted two of the boys. The other five boys live with their parents or grandparents and all ten attend school.

5.4.1.2 Contributing Factors

Geographical distribution:

In interviews with local government, the border guards and victims of kidnapping, it became apparent that those living in border areas are at risk of being threatened by criminals entering Viet Nam from China. In accordance with custom, Mong households scattered, rather than concentrated, leaving households fairly isolated. The distance between individual Mong households can range from 500 metres and several kilometres and this makes them more vulnerable to kidnapping attacks.

In all interviewed kidnapping cases, it was reported that traffickers from China kidnapped the boys with ease. The border can be crossed easily and kidnapping can occur when the boys go to the market with their parents, during the night when they are sleeping at home with parents, when the boys cut trees along border lines, or when they go to China by themselves for work.

Lack of child protection mechanisms:

In 2009 the local authorities in seven border districts set up a warning system to prevent children from being trafficked and, in particular, kidnapped, involving all community members and relevant agencies. However, a comprehensive child protection mechanism is not yet set up in the border area to prevent and protect vulnerable children from trafficking or abduction.

5.4.1.3 Recruitment methods

Unlike other form of trafficking in boys, the methods used by the kidnappers included the use of force to control or even kill the adults, and take the child away from his family. One boy was kidnapped with his mother while fetching wood.

Relatives or close family members also use their family connections to cheat victims. The stepfather of one of the rescued victim in one district of Ha Giang province revealed that it was his relatives on the Chinese side of the boarder who kidnapped his son. There exists a long relationship between the Mong population in Viet Nam and China. Even though they live in different countries, they share the same bloodline and some of the traffickers take advantage of this factor to cheat their relatives and kidnap the child to sell them for money.

The interviewed parents of boy victims and local authorities suspect that the abductors may be Chinese citizens who live near the border. However, currently no evidence exists to support this suspicion. The abduction of boys occurred both at night and during the day.

“Around 8-9 am, my mother, sister and I and my aunt went to cut grass for the cows in To Mung, it is about 2 km from here. We finished at around 10 am and I detected four people coming towards us. They caught me and then took a stick to beat my mother on the head. Two other guys caught my sister and my aunt. They pulled us along the Nho Que river to the chain bridge and called other people to bring clothes for us to change. Then we were taken by motorbike to the Chinese side.”

(IDI, boy victim No. 7, 11, Ha Giang).

5.4.1.4 Transportation process and the routes

Interviews with border guards and victims’ parents show that most of the trafficking victims were transported by foot through unofficial entry points, where few people passed by. In one case, motorbikes were used to take the child along with his mother and other relatives when crossing the border to China.

5.4.1.5 Exploitation

According to interviewed local government and parents, boys are kidnapped for the purpose of adoption. The demand to have a son in China is rooted has many causes and is further increased by the One Child Policy. Many Chinese couples feel a son is indispensable as the traditional Confucian view is that the son’s role is to help and take care of the parents when they get older. Daughters, on the other hand, traditionally become part of the family-in-law once they are married and take care of their parents-in-law (Gupta, 2003). According to persistent rumours spread by community members, the boys are trafficked to take the organs but the researches encountered no direct cases of this occurring during this research. Although all ten interviewed boys managed to escape, the abductors have not yet been arrested and thus there is a lack of evidence regarding the purpose of the abduction.

5.4.1.6 Return and reintegration

Of the ten trafficked boys, five boys live with their parents; three boys live in Social Protection Centres and two have been adopted in Viet Nam. At the time of interviewing all ten boys were currently attending school.

Almost half of the interviewed victims escaped by themselves during the process of transportation. The other half returned with help from the Chinese police and Vietnamese border guards.

The three trafficked boys who live in the Social Protection Centre have received support for living costs, health care, and counselling and studying under support from the social welfare funding from the provincial DOLISA, but not under funding for victims of trafficking. The interviewed social workers and border guards reported that there was no difference in rescuing and providing assistance between boys and girls. However, they noted that the funding provided for children living in the centre is insufficient. A provision is made of 20,000 VND (0.97 USD) per day, plus between 20,000 (0.97 USD) and 30,000 VND (1.45 USD) per case for medical treatment, which is not enough for hospital fees. There is no difference in the size of the allowance for adults and children, even though children and newborn babies are in need of special attention and care.

Only one interviewee received initial support from the local authorities for food and clothes, because of his economic status.

In four cases, the boy did not receive any assistance from the local authorities or trafficking programs because they were rescued on the way to the border or self-returned. Support to victims of trafficking is only available to cross-border cases. As a consequence, five of the interviewed cases (either through interviewing the parents or the boys directly) said that they were scared of being abducted again. These boys did not receive any psychosocial counselling: they received only comfort in the form of visits from community members and local authorities. Of those boys, one family did not dare to go back to sleep in the old house, and moved to another house near their relatives. The boys and their parents could not name any special assistance needs. One boy expressed his wish to receive support for his studies.

DOLISA staff reported that there is limited funding for providing assistance for victims of trafficking. However, that the researchers observed that the border guard rescued trafficking victims and returned them within one day with the support of local authorities and victim's family, without informing the provincial DOLISA for following up the victim assistance. Hence, the coordination between agencies involving in rescue and providing assistance to victim is still weak. It is also weak between different levels of the DOLISA system. At the time of writing there was no up-to-date guideline for providing assistance to self-returned or domestically trafficked victims.

5.4.1.7 Gender analysis

As noted above, local people stated that boys were more vulnerable to abduction to China because of persistent gender inequality. The patrilineal family system, coupled with the country's traditional culture, constitutes the fundamental root for son preference. Sustained low fertility, immature social-security systems, and the lower status accorded to women by Chinese further reinforce the preference for sons, demand for sex-selection services and discriminatory treatment against girls in curative medical care. Ultimately, these factors contribute to imbalance in the sex structure of China's population (Vijayarasa, 2009). These factors also contribute to the trafficking in Vietnamese boys north into China.

5.4.1.8 Conclusion

Most of boy victims were between 1 and 11 years of age at the time of abduction. The large majority of victims, their parents and social workers reported that the boys were trafficked to be sold to China. The kidnappers used force to control or even kill the adults and took the boys away from his family. All the interviewed abduction victims were found in the border areas with China. The proximity to the border makes it easy for traffickers to kidnap the children and escape over the borderline. Although services are being provided, funding for return and reintegration was not sufficient to address the needs of those abducted boys, in terms of socio-psychological counselling

and addressing vulnerabilities. In addition, there is a lack of services for self-returned victims or an effective child protection mechanism.

5.4.2: Illegal adoption

As stated in the literature review, there are previous reports that newborns have been trafficked from Viet Nam to China for illegal adoption. Police interviews identified 40 cases, but only ten cases were analysed in this section due to a lack of verifiable and reliable information on the other 30 cases. Of these ten cases, three cases involved boys being sold to China and seven involved boys being sold in Viet Nam. Police in Hanoi detected all these cases. Only relevant key police and social workers from the Orphanage Centre in Hanoi were interviewed about the newborn trafficking, as no contact was possible to either the birth family or the adoptive family, either because the information was unknown or the data was confidential.

5.4.2.1 Background

Most of the newborn babies were sold at less than one month of age. In the known cases, most newborns belong to the Kinh (Vietnamese) ethnicity. Seven newborn boys were sold internally to Thai Nguyen, Bac Ninh, Bac Giang, Phu Tho, Ha Tay and further unknown provinces. Most newborn babies were given up to the traffickers or brokers by the birth mothers. The origin of most of the biological mothers is unknown due to provision of false addresses.

Two boys are still living in the Orphanage Centre. Vietnamese families have adopted five of the boys and the other three boys were trafficked into China with no further information available about them.

5.4.2.2 Contributing Factors

Similar to abducted boys to China, persistent gender inequality can be an underlying cause of internal and international trafficking in newborn babies. Gender discrimination, son preference and the resulting unequal status of women and girls have contributed to an increase demand for sex-selection services in China and Viet Nam (UNFPA, 2007b).

According to the interviewed police, the contributing causes of trafficking in newborn babies for illegal adoption are the following:

- Linked to the previous cause, the price for male infants is higher than that for female infants;
- The official adoption procedure is complex;
- Stigma against young, unmarried women with unwanted/unplanned pregnancies. They agree to sell their child due to fear of negative effects for their future or they feel unable to raise the child.

“The official adoption procedure is complex so individuals and families do not want to follow it. In rural areas [Viet Nam], there remains the thought that puts boys in a higher position than girls [male preference], people have a demand to adopt boys.”

(IDI, police, male, Hanoi)

Another factor is that Vietnamese women have limited opportunities to make decisions at the family level as a result of their perceived low status (MOSCT et al, 2008).

Single mothers and/or poor families who give up children for adoption are often unaware of alternative options such as the possibility of raising the child at the Orphanage Centre or other social support centres and organization. Concurrently, families who want to adopt a child are often unaware of the official procedures to follow or institutions to access to adopt a child.

5.4.2.3 Recruitment methods

Recruiter and means:

In order to find newborn babies for adoption within the country as well as abroad, the traffickers and brokers seek out unmarried, young girls who are pregnant or poor pregnant mothers who cannot afford to raise another child. They promise to adopt the child, pay for the hospital fees and give money to the mother.

“Mr D has a daughter studying at grade 10 who was pregnant. His family asked the daughter to abort the foetus but she could not because she was close to giving birth. Mr D’s daughter delivered a baby at the hospital and he decided to give the child away. A motorbike taxi driver introduced him to the broker or trafficker. Mr D agreed and wrote a voluntarily paper stating that his family was unable to raise a child and gave the child for adoption.”

(IDI, male police, Hanoi)

Interviewed police described how the recruiter frequently sets up a network of brokers who assist in recruiting pregnant girls and women and newborn babies. These brokers can be motorbike drivers working nearby or vendors selling refreshment at the front door of the obstetric hospital or employees of the hospital. They seek pregnant girls and women within and outside of the obstetric hospital through personal contact. When they find a pregnant woman in difficulty, they may also offer to support them between their sixth and ninth month of pregnancy until the delivery. The brokers or traffickers pay all hospital fees and related costs. Either the mother or her family member has to write a voluntary paper (see an example below) to give a child for adoption and both have to sign the paper leaving a space for the name of the person who will adopt the child later on. In addition, the birth mother has to give the notice of birth issued by the hospital to the broker. The traffickers then use these papers to assure the adoptive parents that the adoption is legal, despite the fact that this is not the correct legal process for adoption. In one criminal case, the investigating police used these voluntary papers as evidence.

<p> Cộng hòa xã hội chủ nghĩa Việt Nam Thủ Đức - Củ Chi - Kênh Tân ĐƠN TỰ NGUYỄN CHO CON Tôi tên là Nghề nghiệp: <i>Sản xuất</i> Địa chỉ: Ngày 9/12/2009. Lúc 9h tôi có sinh 1 bé trai nặng 2,8kg tại Khoa sản Bệnh viện ... Vì hoàn cảnh riêng tôi không có chồng, gia đình khó khăn. Tôi không thể nuôi dưỡng cháu được. Vì vậy tôi viết tự nguyện cho con cho ông/ bà. Tôi viết đơn này trong lúc sức khỏe bình thường, hiểu thức biết rõ - vì cần tiền nuôi sống hai con - Nếu có gì sai tôi xin chịu trách nhiệm pháp lý riêng mình. Pháp luật - Ở ngay Cơ quan giúp mẹ nuôi cháu hoàn tất các thủ tục để cháu được nuôi dưỡng. Tôi xin cảm ơn./ </p> <p>Hanoi ngày 9/12/2009</p> <p><i>[Signature]</i></p> <p>HONG HA</p>	<p align="center">Socialist Republic of Viet Nam Independence – Freedom – Happiness</p> <p align="center">Voluntary Request to give baby</p> <p>My name is L. Occupation: Farmer Address: Y commune, H. district,City At 9am on 9/12/2009, I gave birth a baby, weighted 2,8kg at the ...B Hospital. For the personal reason, I am unmarried and have difficulty family so I cannot bring up this baby. I write this request to voluntarily give this baby to Mr./Mrs.....</p> <p>-----</p> <p>I write this request when I am in the good health and in full possession of sense - and commit that I will not reclaim baby. If there is something false, I will fully be responsible to the law. I propose organizations to help the adoptive parents fulfil procedures to bring up baby.</p> <p>Thank you.</p> <p align="right">Hanoi 9/12/2009 Applicant (signed as a witness) (signed)</p>
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Example of voluntary paper to give a baby for adoption

Interviewed police also revealed that, similar to the network of brokers that seek out pregnant women, networks of brokers are also created to find couples seeking to adopt a child. In one criminal case, the two main identified traffickers (one in northern and one in southern Viet Nam) used several different brokers to transport a child to from southern to northern Viet Nam in order to avoid being caught by the police. The traffickers actually never met each other as they were in contact via phone and transferred money through a bank.

According to interviewed police' officers, most brokers do not know that trafficking in children and that involvement in recruiting or transporting a child for money (typically around 500,000 VND (24 USD) for transporting a child) carries the penalty of imprisonment for 5 to 10 years. Obtaining proof of trafficking - literally "selling or buying" the child for profit or personal gain - is also very difficult as there is a need for evidence that the traffickers receive some form of financial benefit. In addition, interviewed police officials report that most detected pregnant girls and women and their family members do not know the details of what happens to the child after adoption. Only two biological mothers knew their child was sold (possibly for adoption) when they were rescued on the way to the border or after delivering in a hospital at the Chinese side.

5.4.2.4 Transportation process and the routes

The form of transportation is similar as described for the other types of trafficking. The traffickers often use public transportation to transport a child individually, not in a group, to avoid attention from authorities and police. In the cases documented, public buses were mainly used. Again, the trafficker or broker covers the costs of transportation for the child and the accompanying woman.

According to interviewed policemen, a woman who is already nursing a newborn accompanies the trafficked newborns. This way, observers assume that the newborn is hers. In addition, she can breastfeed the baby on the way to the destination. Usually, the traffickers hire their relatives or someone they know well. Among the ten trafficked newborns, included in this research, two cases were first detected by the people travelling on the same bus who then informed the police of the matter for further investigation. In one case, the trafficker intended to sell the biological mother along with the trafficking child.

5.4.2.5 Exploitation

The interviewed key informants reported that newborn trafficking is for the purpose of illegal adoption. However, no traffickers had been arrested at the time of research and without testimony to confirm this assumption; it is possible that babies are being trafficked for another purpose.

Key informants confirmed that the persons involved in trafficking newborns are acting for personal gain, so the cases qualify as trafficking according to Vietnamese law.

5.4.2.6 Return and reintegration

Two rescued newborn cases have been referred to and are raised at the Social Protection Centre or Orphanage Care Centre with support from the DOLISA. They are in good health. The other five newborn cases are now living with an adoptive family in Viet Nam. There is no information on current living conditions of the three newborns trafficked to China because of an on going investigation. The interviewed police shared that they encountered no difficulty in transferring newborns to these centres. However, one case which was just under one week old had to be referred to the obstetric hospital for emergency care - there are no provisions in the guidelines on referral of trafficked newborns amongst relevant agencies in case of emergency.

5.4.2.7 Gender analysis

As stated above in the sections on awareness and abduction, there are differences between the trafficking of newborn boys and girls. Boys are sold for higher prices than girls. In most of the cases of

newborn trafficking that the interviewed social workers and police had encountered, the baby was a boy.

As in the case of boys abducted to China, persistent gender inequality can be underlying causes of trafficking in newborn babies within country and abroad.

5.4.2.8 Conclusion

Most of the newborn babies were sold at less than one month of age. Newborn boys were trafficked within country and abroad. The causes are in the demand for newborn children, especially boys, and the desperate situation some women find themselves (assuring the supply). Both are rooted in gender inequality. The traffickers then take advantage of these two factors by being the middlemen. There is also a lack of awareness that illegal adoption amounts to trafficking.

The recruiter often sets up a network of brokers who assist in transporting or recruiting pregnant girls and women and newborn babies. There is a lack of an effective child protection mechanism. Additionally, there is no guideline on referral amongst relevant agencies of trafficked newborns in case of emergency.

VI. CONCLUSION AND RECOMMENDATIONS

6.1 CONCLUSION

This is the first research on the situation of trafficking in boys in Viet Nam as well as understanding boys' experience of trafficking and vulnerabilities, which reveals several important conclusions:

6.1.1 A number of boy victims of trafficking have been identified in the research:

Trafficking in boys does occur in Viet Nam both domestically and across borders. Boys are trafficking victims of labour exploitation, street begging and vending, sexual exploitation and adoption.

Under the Palermo Protocol and the Convention on the Rights of the Child, a child victim of trafficking is a person under the age of 18 years old but according to Vietnamese Law, only cases of trafficking of a person under 16 years old will be considered as trafficking of children in Viet Nam.

The study assessed 82 cases among which were 30 cases of working children, five street vendors, 24 cases of sex workers, ten cases of abduction, ten cases of newborn adoption and three cases with unknown purpose or "on the way to be trafficked". Among 82 victims identified in this research, 29 boys were trafficked at the age from 16 to 18, and 25 boys were trafficked at the age from 11 to 15, and 17 boys under six years old. Even though this research discovered information on trafficking of boys, in the official government record system in most locations where the research was conducted, the local government reported no case of trafficking in boys or no official statistics of the cases of boy victims.

6.1.2 Low awareness among local authorities and community of trafficking in boys:

Even though local authorities had some awareness of human trafficking, a full and complete understanding of human trafficking, and especially in boys is still lacking. In addition, people do not understand labour exploitation in general, and labour and sexual exploitation of boys, in particular.

Community' awareness on trafficking in boys was found consistently low. It was mainly understood to be trafficking in women and girls but not applicable to boys. Many of the cases interviewed did not have any understanding about human trafficking, or they thought trafficking only related to cross-border selling of women and children. Interviewed families and children tended to view deception and labour exploitation as cheating or abuse only. Many boys do not realise that they have been trafficked and think that they have just been deceived with regard to the conditions and pay they receive. Furthermore, community people as well as boys are not fully aware of the exploitation. It is very common that community people accept their exploitation and as long as they get paid they do not see it exploitation. Many boy victims and their parents are not aware that they have been exploited since they think when doing the work for earning money; they need to follow the rules set by the owners regardless of the working conditions.

6.1.3 Contributing factors to push boys into migration and vulnerability to trafficking:

Contributing factors to push boys into migration process and increases their vulnerability to being trafficked are: the need to earn an income coupled with a lack of employment opportunities, lack of education opportunities, and lack of family support. In addition, parents and boys lack understanding on safe migration and trafficking in boys as well as awareness of their rights as a child that make the boys vulnerable to exploitation by traffickers.

6.1.4 Purpose of boys trafficking:

Labour exploitation:

The boy victims of trafficking for labour exploitation had to work under extremely hard condition. They were trafficked both across borders and internally for working as beggars, in family run garment factories, brick kilns and so forth. Boys are often trafficked through family/community networks. With regard to the victims of labour exploitation, both boys and girls, the need to have a job and to earn money are used by the brokers or traffickers to get boys' agreement to go with them for a good job with a high salary. The traffickers take advantage of having the agreement of the boys' parents to control the boys in the working place and to force the boys to work, as they require. However, with most of the labour exploited boys, working long hours is very common and sometimes voluntarily accepted, as long as the salary is paid. It appears that these boys feel they have no opportunity to find other jobs to earn money to support their family. In addition, boys do not know their rights as a worker.

Other victims are lead to cross the border illegally (irregularly) with the brokers/traffickers so the traffickers use their illegal entry as a form of control. The traffickers also rely on a victim's fear as a way to hide the victim of trafficking such as the fear of the law enforcement.

Sexual exploitation:

This research had identified a number of boys have been trafficked for the purpose of sexual exploitation/sex work. For the sexual exploitation group, most of them had travelled to the cities without a job to go to. The boys were misled and/or forced to participate in sexual activities and then they were transferred/sold/introduced to sex work. Even though most were initially sexually abused and exploited, at the time of this research a few of the cases appear to be voluntarily working as sex workers.

Abduction/Adoption:

This research also uncovers quite of a few number of boys being abducted and trafficked, which is consistent with the local authorities and community awareness on trafficking in boys. Newborns were most vulnerable to being trafficked both domestically and across borders because of the demand of boys, and the desperate situation some women find themselves (assuring the supply). Both are rooted in gender inequality. In addition, there is a lack of effective child protection mechanism.

6.1.5 Gender issues:

This study confirms that boys face the risk of being exploited and trafficked, as well as their female counterparts. There was a difference in reasons for leaving home between boys and girls. Most girls migrated to work to earn more income to help their families and to find suitable jobs. Boys, on the other hand, left their homes with the intention to explore the outside world, to have an adventure or to prove themselves, as well as with a strong desire to earn money in the cities,. Boys are considered more adventurous and perceived themselves are stronger, more brave and less at risk of being trafficked than girls. However, boys are not aware of their risk of being abused or sexually exploited. This make boys vulnerable to exploitation and trafficking since they are more eager than girls to leave their original community without proper preparation for safe migration.

The wider community thinks that boys are usually trafficked for the purpose of labour exploitation. Therefore, when boys are trafficked they bear less discrimination from community than trafficked

girls because female trafficking is still widely perceived as for sexual exploitation only, to which boys are perceived as not being vulnerable.

7 6.1.6 Return and reintegration: Many boys involved in the research have received support for return and reintegration. However, as many boy victims not yet been identified and assisted, study results showed that there are gaps in identification and provision of assistance to domestic victims in general and cross border self-returned victims, in terms of infrastructure, finance, training and resources for emergency referral. At the same time, assistance to returnees from the government or different non-governmental organization projects has been provided in some cases on an ad hoc basis. There is a need for more appropriate support for boy victims in psychological support and vocational training for reintegration.

To ensure that Viet Nam's legal, policy and institutional frameworks for human trafficking adequately address the particular situation and vulnerabilities of boy victims of trafficking, in addition to that of girls, women and men, the following recommendations were made:

6.2 RECOMMENDATIONS

6.2.1 Strengthen communication and education programme to combat trafficking of human beings and promote safe migration:

Promote safe migration

- ***Safe migration to combat trafficking and exploitation.*** Campaigns in migration source communities designed to enable and promote safe migration are sometimes seen as out dated, but they remain important. Awareness raising campaigns should avoid using the term 'trafficking' as it is widely misunderstood as mainly involving girls and cross-border movements. Rather, safe migration to avoid being exploited sexually or for labour should be the focus. This research suggests a need to focus on target groups such as families and boys from low socio-economic backgrounds and ethnic minority communities, especially those with school leavers and unemployed workers, which constitute the higher risk groups.
- ***Make families and children aware of safety issues.*** Not all cases began as voluntary migration. "Stranger danger" played a role in some of the cases documented here, where boys left home at the urging of the broker, or were forcibly abducted. Relatives, both close and distant (informal networks), however, facilitated many surveyed cases of labour trafficking. Thus, the misconception needs to be challenged that danger only looms from strangers.
- ***Make families and children understand about the Rights of the Labourer/ Labour Law:*** Children and parents are not aware of their rights and obligations according to the Labour Law, labour protection legislation and other relevant legislation. Under significant pressure to earn their living, parents and children believe that once they agreed to work for the owners in, for example, family run factories or small businesses, they must follow the rules and regulations set by the employer, even if they do not meet legal guidelines, as long as they receive payment as agreed. Communication program should help children, parents and wider community to understand the Labour Law, labour rights and other relevant legislation, in order to protect themselves from child labour exploitation.
- ***Make families and children understand about gender equality:*** gender inequality is an underlying causal factor in the lack of recognition of and support to trafficked boys. Although the Law on Gender Equality enacted in 2006 details responsibilities of government agencies, organizations and families in achieving gender equality, the implementation of this law remains very limited. Adequate resources should be allocated for better implementation and monitoring of the Gender Equality Law. Communication and education programs should aim to reduce the tradition of son preference by promoting gender equality. Community and Government leaders should take a key role in disseminating gender-equity messages to the wider community.

- ***Provide education and vocational training for young people***, raising awareness on safe migration and the Labour Law to protect themselves from abuse and exploitation. The need for young people to find employment is very strong, yet many of job-hunters leave home and go directly to the cities without any proper vocational skills training. They do not have any understanding of safe migration, labour rights or the Labour Law, which makes them vulnerable to exploitation by brokers and traffickers. Young people need to be equipped with essential knowledge regarding their rights as workers and as children, as well as relevant work skills in order to prepare themselves sufficiently before migrating to new places to work. In addition, they should gather as much information as possible regarding the potential job, working conditions, payment, and other factors, as well as enquire about the recruiters or employer before making the decision to migrate.
- ***Develop specific interventions to address ethnic minority vulnerabilities and in the border areas***. The research strongly suggests that ethnic minorities are subject to specific vulnerabilities, both relating to migration and to other types of risk: irregular, temporary migration over international borders; low levels of awareness of labour rights and safe migration; and housing patterns all affected ethnic minority boys vulnerability to being trafficked. On the other hand, networks at the destination provided a valuable safety net. More research is needed, as noted below, but it is clear that ethnic minority groups need to be specifically targeted, not as a homogeneous group, but on an ethnicity-by-ethnicity basis. Based on further research, ethnic-specific awareness raising projects should be developed in the according ethnic minority language. It is necessary to assess and develop relevant communication methods for the mountainous and remote areas, for example, prioritising direct communication at household level.
- ***Make mothers and hospital staff aware of existing alternative options to legal adoption***. Many women with unexpected pregnancy do not know where and how they can have the newborn adopted. Information and counselling on existing alternative options to legal adoption should be more readily available in hospitals.

6.2.2 Enhance law enforcement

Strengthen education and enhance enforcement of the new Law on Prevention, Suppression against Human Trafficking

- ***Make government officials better understand the risks and issues around trafficking in persons in general and in boys in particular***. Many government officials at grass root level still consider trafficking as solely related to women and girls being sold across borders. More communication need to be undertaken so they can understand the purpose of trafficking, taking into account exploitation which covers domestic cases in general and may predominantly affect boys.
- ***Strengthen the investigation, suppression and prosecution of human trafficking in boys***. A new **Law on Prevention and Suppression of Human Trafficking** - issued in March 2011 and came into effect in January 2012 - has yet to be implemented and enforced. The new law covers the trafficking of boys but cases are needed to test it and to raise awareness of the law. This also will help to build public awareness and potential victims' knowledge about trafficking in boys, which will help to minimize their risks.
- ***Regular monitoring of the Labour Law in the place of destination***. Many family-run factories, with from ten to one hundred workers - including children - are not yet monitored, reported and inspected to prevent exploitation of children.

- **Raise community - including small factories owners - awareness and norms on the unacceptability and unlawfulness of employing children below working age, working for long hours and undertaking heavy work:** The research showed the evidence that many working children were trafficked for labour exploitation. Law enforcement is critical and is recommended. However, given the limited number of labour inspectors that impossible to cover every small or private factory and other working settings. It is important that public attitudes and norms regarding the unacceptability of labour exploitation should be targeted. Various mean of communication should be used to create such change.

6.2.3 Child protection system

Strengthen the child protection system at the place of destination:

- **A child protection system should be in place and functioning:** Generate community participation to monitor and identify cases of child labourers and of labour exploitation. The local government authorities, relevant government sectors such as Police, DOLISA staff, staff in charge of children issues, and members of social organizations such as the Women's Union, Youth's Union should have good knowledge and understanding of child trafficking, child labour exploitation, and child sex work. There should be someone officially in charge of the issues at the commune level, who is able to report suspected cases of child trafficking, labour and sexual exploitation for further investigation.
- **Better child protection monitoring systems should be in place in the border areas to prevent and protect vulnerable child from trafficking/abduction.** Stricter monitoring should be in place to identify and rescue trafficked children in general and newborn boys in particular. Under this mechanism, a warning system should be developed for quick action to report, prevent and rescue children from trafficking, especially kidnapping, involving all members of the community and relevant agencies.

6.2.4 Reintegration services

Develop return and reintegration program and services that address the needs of trafficked boys.

- **Ensure that support for trafficked boys is tailored to their needs.** Effective support can be crucial in the prevention of re-trafficking. Different boys reported different needs. Some needed jobs, and would have benefited from job placement services. Some wanted vocational training, sometimes in specific trades, but were unable to access suitable training in their home areas. Others needed income support or counselling. There is a need to better understand and appreciate the gender dimension of trafficking when designing the reintegration program. A thorough needs assessment should be provided in each case, and referrals provided to suitable services. Where specific services are unavailable locally, boys should receive support to move to where services are located.
- **Ensure that returnees who not use the formal returnee procedures are able to access support:** Currently, victims who are self returned are not entitled to any support from government. An identification system should be developed to provide the criteria on identification of self -returnees. Policies on assistance for self-returned victims need to be developed. Propose to classify children who are victims of trafficking as one category of children in disadvantage conditions.
- **Improve inter-agency coordination and referral systems.** At a minimum, there should be a standardized set of data collected on each case that is made available to all relevant agencies. Roles and responsibilities need to be made clear.
- **Provide training and support to service providers assisting trafficked boys.** Reintegration assistance was frequently provided through structures such as the Social Protection Centres. This informal arrangement is now confirmed in the new law. Social workers in government institutions, and in particular in migration source communities, require training and funding to ensure they can meet the needs of trafficked boys. However, the research does

not suggest a need for separate institutions or centres to be established. Tailored services within existing structures should be sufficient and will be more cost-effective. The research suggested that staff who are involved in the return and reintegration of trafficking in boys require further training to develop their skills in responding to boys needs on sensitive, cultural and psychological issues .

- ***Develop an easily accessible and quick method of rescue, referral and support for victims*** and parents including boys or girls. This may take the form of, for instance, a helpline the children can call if they need support to escape and return. The research has shown that many victims did not know where to go or whom to ask for support when they being controlled, abused and exploited. Information about this helpline should be widely communicated so people and children know and remember the number. The helpline also need to have resources and proper multi-sectorial network system in order to be able to provide quick support and referral to victims as needed.

6.2.5 Develop programme to address HIV and AIDs and sexually transmitted infection, drug misuse and addiction among male sex workers.

- ***Target male sex workers, especially young men and boys***, possibly through peer education programs, to enhance their understanding of HIV and sexually transmitted infections, and drug misuse and addiction services. In this research many boys involved in sex work do not have a good understanding of HIV, sexually transmitted infections and prevention. Drug use also is relatively widespread among sex workers. The out-reach of voluntary counselling and testing services and sexually transmitted infection treatment needs to be increased to reach and cover greater numbers of male sex workers, especially those that find themselves in exploitative conditions.

6.2.6 Areas for further research

- Research with both male and female control groups for comparison and analysis on the gender differences during trafficking process and the receiving of support services during reintegration In addition more in-depth and widespread research should be conducted to include business that involve working children, including restaurants and cafes.
- ***Research on boys who had escaped from sexual exploitation.*** This research accessed 24 boys who have been sexually abused and forced to undertake sex work. Most of these boys now appear to be undertaking sex work voluntarily. These findings may be due to the sampling method, which purposively sought out boys involved in sex work in the destination areas. Research with more representative sampling on those who have been trafficked for sexual exploitation purpose is needed in order to better understand the issue.
- ***Further research on children engaging in sex work, for whom trafficking was an entry channel:*** In this research, most of the sex workers stated the relatively high remuneration compared to other jobs as the key factor for entering or remaining in the sex trade.. However, more in-depth research needed in order to better understand the factors that influence sex workers' perceptions of how and why they choose to do the work.
- ***In depth review and analysis of current laws, policies and regulations*** that may relate to trafficking of children and child protection and care in order to develop policies and guidance to identify, monitor and support trafficked victims who are not covered under current policies and regulations. These groups may include boy victims who are trafficked internally and victims of sexual exploitation.
- ***Research on the role of families' economic situations, peer pressure and perceived poverty:*** Many of the trafficked respondents reported that they had migrated for economic reasons, and that they had seen the benefits that migrants returning to their community had accrued in the form of visible consumption. It remains unclear whether poverty or perceived poverty was more important to these boys. Moreover, this research did not have control groups of non-trafficked migrant boys or non-migrant boys, to respectively compare push

factors and the (perceived) socio-economic status with those in the cases of trafficked boys. It is therefore impossible to make any conclusions about the role of factors like unemployment, social status, poverty and perceived poverty in migration. More research is needed into this area.

- **Research on ethnic minority-specific vulnerabilities.** In this study, which does not claim to be representative, boys belonging to ethnic minorities have been over-represented (23 out of 82). As outlined above it appears they are confronted with specific vulnerabilities to be exploited and trafficked. More research is needed but attention should be paid to not target ethnic minority groups as a homogeneous group, but on an ethnicity-by-ethnicity basis.

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APPENDIX 1: VIET NAM PENAL CODE

The Viet Nam Penal code amendment in June 2009 (effective since 1 January 2010.)

Article 119. Offence of buying or selling a person

1. Person who sell or buying a person (trafficking) shall be imprisoned from two years to seven years.
2. Offenders in one of the following circumstances, shall be imprisoned from five years to twenty years:
 - a) for the purpose of prostitution;
 - b) an organized manner;
 - c) a professional manner;
 - d) to convey abroad;
 - e) for several people committing the crime more than once;
3. Offenders can be fined from five million to fifty million dong, on probation or banned from being resident from one year to five years.

Article 120. Offence of selling or buying children, fraudulent exchange and kidnapping children

Person who selling or buying (trafficking) children, fraudulent exchange and kidnapping children of any kind, shall be imprisoned from three years to ten years.

APPENDIX 2: FINANCIAL SUPPORTS TO THE RETURNEES

Financial supports to the returnees

Regulated by the inter-ministerial Circular No. 113/2010 issued on August 3rd 2010 by Ministry of Finance and MOLISA,

Financial supports to returnees			
During the period of returning arrangement*	At the receiving agencies	At their home and community	Community reintegration
-Travel expense	- Providing (once) with clothes, blanket, mosquito net and necessary personal supplies. The allowance rate shall be based on the actual local price but not excess 200,000 VND/returnee.	- Food allowance: 20,000 VND/day (not excess 5 days)	-Allowance for difficult finance: 1,000,000 VND /returnee at minimum
- Food and accommodation expenses		-Travel allowance: Actual expenses for public transport means	-Allowance for vocational training: 1,000,000VND/ person/course
-Medical expense			- Children: Allowance for learning books and materials of the first year
- Funeral expenses /expenses of transferring the dead body to Viet Nam	-Women's sanitary allowance: 20,000 VND/month - Food allowance: 20,000 VND/ day -Medical treatment allowance: Not excess 1 million VND -Funeral allowance: 3 million VND - Counselling section support: 50,000 VND/section (not excess 20 days)		

Secured by representative agency of Vietnam in the immigrating country.

APPENDIX 3: LABOUR EXPLOITATION

- (a) all forms of slavery or practices similar to slavery, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict (The International Labour Organization's Worst Form of Child Labour Convention or C182, Art, 3(a));
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances (C182, Art 3(b));
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties (C182, Art 3(c));
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children (C182, Art3(d) and C138, Art. 3);
- (e) work done by children below the minimum age for admission to employment (C138, Art. 2 meaning under the age of 15 years).

Source: http://www.unicef.org/southafrica/SAF_pressrelease_notetrafficking.pdf

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APPENDIX 5: CRITERIA OF SELECTING PARTICIPANTS

Boy victims of trafficking

EITHER

- **The movement**
- **The movement** (recruited, moved, received) of the child **had been organized with the immediate or ultimate aim** of the child's exploitation. This could involve a transaction where **someone receives payment or a benefit** to agree to a child being exploited.
- **The movement** has rendered the **child vulnerable**, and that the vulnerability was planned to be exploited. It is or it was the fact that the child **do not have close relatives at their destination, do not have money or means to return home, cannot speak the language, are disadvantaged by their legal status, suffer a lack of access to basic services (such as education and health care)**, or do not know the environment.

OR

- **Purpose of the movement:** child have been exploited in the form of either
 - the use, procuring or offering of a child **for sex work**, for the production of **pornography** or for pornographic performances
 - **other forms of sexual exploitation/ abuse**
 - **forced labour or services,**
 - **slavery or practices similar to slavery,** debt bondage
 - **servitude or the removal of organs**
 - **labour exploitation** includes all kinds of work that exploits a child, the work which, by its nature or the circumstances in which it is carried out, **is likely to harm the health, safety or morals** of children working in hard, toxic, hazardous and dangerous employment).
 - the use, procuring or offering of a child for **illicit activities** e.g. the production and trafficking of **drug**
 - work by children who are below the **minimum age for work**

The relatives/ parents are: parents, siblings or someone living in the same house.

The neighbours: persons who know the boys, understand about the situation of the boy, know the story, who live in the same house, same group, village (*to, doi, xom, khu pho*).

The friends: children at the same ages: used to or currently live with, work with or study with the child, know the child, and/or have an understanding of the child's situation.

The child supporters: someone who knows the child, who had connected to the child and supported them at work, at place of living or when travelling or during the process, movement, might be at place of origin, transit and destination.

ENDNOTE

¹ Note on the definition of “child trafficking”, the programme Towards the Elimination of the work forms of Child Labour of the International Labour Organization, Pretoria, after engagement with the United Nations Office on Drugs and Crime and International Organization for Migration.

² Decision 19 dated Feb. 2004 issued by the Prime Minister on prevention and combat situation of street children, sexual abused children and children working in heavy or dangerous work for period 2004 – 2010.

³ These centres are in the following provinces, namely Lao Cai, Quang Ninh, Lang Son, Yen Bai, HCM City, An Giang and Can Tho.

⁴ 12 agencies include FAO, ILO, IOM, UNAIDS, UNDP, UNESCO, UNFPA, UNICEF, UNIDO, UNIFEM, UNODC, and WHO

⁵ IOM is an international organization accredited to the UN with observer status and is a full member of the UN Country Team, so in this document it will be included in the 12 UN participating agencies

⁶ The international definition notes that children under the age of 18 cannot consent to being trafficked.

⁷ The 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime, U.N.G.A. Res. 55/25, Annex II at 31-39, U.N. Doc. A/55/25 (15 November 2000), entered into force 25 December 2003, available online: UN http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf [Trafficking Protocol].

⁸ http://www.unicef.org/southafrica/SAF_pressrelease_notetrafficking.pdf

⁹ As set out in the ILO’s Minimum Age Convention (C138) and also in the Vietnamese Law of Labour, The minimum age shall not be less than the age of completion of compulsory schooling. C138 Minimum Age Convention, 1973. <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138>

¹⁰ ILO’s definition of Child labour

¹¹ IOM migration glossary.

¹² World Vision. Training Curriculum on anti human trafficking. 2008.

¹³ The respondents need to be capable to participate in the interview. Younger children usually need some special skills in interviewing and analyzing the information provided.

According to WHO, the youth age is under 25 so the respondents will be selected fewer than 25 in order to ensure the recall information quality and also avoid bias due to ages.

¹⁴ The interviewed police officials reported that among 30 cases mostly are boys but did not give us the exact number.

¹⁵ In 2007, five trafficked boys were at the age older than 16 years, however they were not considered as cases of boy trafficking as new Penal Code had not been effective yet. Three cases were under the age of 18.

¹⁶ Data provided by the Hue Provincial Red Cross and Blue Dragon Children Foundation in the study in Dec. 2010.

¹⁷ Ho Chi Minh DOLISA, Department of Child Care and Protection in December 2010.

¹⁸ Source: data provided by police of Hanoi in the survey in December 2010.

¹⁹ Data provided by police of Ha Giang province in the survey in January 2011.

²⁰ Child Protection Care and Education Law, Article 7 prohibited acts, 2004.

²¹ Law on Prevention and Suppression of Human Trafficking, March 2011

²² Exchange rate as of May 2011: USD 1 = VND 20,670.

²³ Background information of interview is in following order: interview, boy victim number, age, province.

²⁴ IDI, male, Police in Hanoi

²⁵ However, the design of the current supporting program was based on previous assumption/project, which only address cross-border trafficking in women and children while internal trafficking in men is omitted. For example, no assessment centre is equipped to accommodate males, vocational training were not designed with

a range of job meeting male victims' needs. In addition, domestic trafficking cases are not supported under the current guidelines.

²⁶ Labour Law defines: children (adolescent at the age of 15 to under 18 years of age) work not more than 7 hours per day and overtime work is not more than six hours/day and 24 hours per week in allowed works.

²⁷ Victims from 18 provinces: Ha Giang, Lao Cai, Bac Giang, Ha Noi, Thanh Hoa, Nghe An, Hue, Vung Tau, Can Tho, An Giang, Tien Giang, Kien Giang, Ninh Thuan, Dong Thap, Dong Nai, Soc Trang, Ben Tre, Ca Mau.

²⁸ Cases the information on ages can not be verified

²⁹ 2 cases 1 year old, 1 case 2 years old, 2 cases 3 years old and 2 cases 5 years old.

³⁰ GSO, Result of the survey on household living standard 2008.

<http://www.gso.gov.vn/default.aspx?tabid=512&idmid=5&ItemID=9646>.

³¹ The research interviewed children and young men from 11 to 25 years old but at the time of trafficking they were all less than 18 years of age.

³² Principle 2, Article 119 – Labour Code

³³ Exchange rate in May 2011, 1 USD = 6.5 RMB

³⁴ A child is a person under 16 years old in the Penal code.

³⁵ Case of one girl in the same group of interviewed boy victim – injury assessment if arms, hands and fingers - permanent disability was 14%. Data was provided by the Quang Xuong district Women's Union.

³⁶ A to Z means you have to agree with every request of the clients including of sexual intercourse

³⁷ This may be due to our sampling method, purpose sampling to find the boys who work in sex work, not a representative sampling method.

³⁸ Data from Ha Giang Border Guard, 2011.