



Home Office

Country Policy and Information Note

Vietnam: Trafficking

Version 5.0

December 2023

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Executive summary

Victims of trafficking from Vietnam form a particular social group (PSG).

Trafficking in Vietnam is illegal and whilst Article 150 of the penal code criminalises labour and sex trafficking, the definition does not correspond with the internationally accepted definition of trafficking.

Trafficking affects men but predominantly within Vietnam, victims are women and children, ethnic minorities and those from poorer communities with most victims trafficked to China. Trafficking victims in the UK more commonly leave Vietnam as economic migrants and may face exploitation enroute and/or once in the UK. They may also incur debts to facilitate their journey out of Vietnam and may be forced to work to repay the money owed.

Victims of trafficking may experience discrimination or social stigma on return, however, this is not in general, sufficiently serious by its nature and repetition to reach the high threshold of persecution and/or serious harm. Whilst there may be individual cases of re-trafficking there is no evidence to suggest this is widespread and in general, it is unlikely, that a person would be re-trafficked once returned to Vietnam. There are, however, certain circumstances which may increase the risk of a person being abused or re-trafficked which include but are not limited to;

- the person having outstanding debts
- the person knowing their trafficker
- absence of support (networks or family)
- low level of education
- mental health disorders

Where a claim has an element of illegal moneylending/debt bondage decision makers should ensure they also refer to the country policy and information note on [Vietnam: fear of illegal moneylenders](#).

In general, the state is willing and able to offer effective protection, which is generally accessible to those who fear they are at risk from being re-trafficked. In general, there are parts of the country such as (but not limited to) Ho Chi Minh City or the capital Hanoi where a person would not have a well-founded fear of persecution/real risk of suffering serious harm and it will be reasonable for them to relocate there, depending on a person's individual circumstances.

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Assessment

About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is reasonably likely to face a real risk of persecution/serious harm by non-state actors because they are a victim of trafficking
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within Vietnam
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is unlikely to be certifiable as ‘clearly unfounded’ under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 In cases where there are doubts surrounding a person’s claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2. Convention reason(s)

- 2.1.1 Victims of trafficking form a particular social group (PSG) in Vietnam within the meaning of the Refugee Convention because they share an innate characteristic or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it **and** have a distinct identity in Vietnam because the group is perceived as being different by the surrounding society.
- 2.1.2 Although victims of trafficking in Vietnam form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question to be addressed is whether the person has a well-founded fear of persecution on account of their membership of such a group.
- 2.1.3 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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3. Risk

- 3.1.1 Victims of trafficking may experience discrimination or social stigma on return. However, this is not, in general, sufficiently serious by its nature and repetition to reach the high threshold of persecution and/or serious harm.
- 3.1.2 Whilst there may be individual cases of re-trafficking there is no evidence that re-trafficking is widespread and, in general, it is unlikely that a person would be re-trafficked once returned to Vietnam.
- 3.1.3 A person's vulnerability may affect the likelihood of re-trafficking occurring. Each case must be considered on its individual facts, but the onus is on the person to demonstrate that their profile and circumstances are such that on return they would be vulnerable to abuse or re-trafficking which would amount to serious harm or persecution.
- 3.1.4 Factors that may increase the risk of being abused or re-trafficked include, but are not limited to:
 - The person having an outstanding debt to the traffickers

- The person knowing the trafficker
 - The absence of a supportive family willing to take the victim back into the family unit
 - The person having no other support network to assist them and material and financial deprivation such as to mean that they will be living in poverty or in conditions of destitution
 - No or few educational or vocational skills
 - Mental health disorders, which may have been caused and / or exacerbated by experiences of abuse when originally trafficked
- 3.1.5 Decision makers must refer to the Country Policy and Information Note on [Vietnam: Fear of illegal moneylenders](#) where the case involves the return of victims who fear reprisals from traffickers owing to debt bondage.
- 3.1.6 Whilst not a Country Guidance case and as such only persuasive on the facts, the reported case of [Nguyen \(Anti-Trafficking Convention: respondent's duties\) \[2015\] UKUT 170 \(IAC\)](#), heard on 19 September 2013 and 15 December 2014, and promulgated 25 March 2015, the Upper Tribunal held 'If the appellant were able to return, a matter to which we shall have to return, she would not be a person of any adverse interest to the government, and the chance of coming across her traffickers is very slight. The Anti-Trafficking Convention and Article 4 do not suggest that a victim of trafficking is unreturnable to the country from which they were trafficked. We consider that she has not shown that she faces a real risk of ill-treatment on return to Vietnam, whether on account of her previous experience as a victim of trafficking or otherwise' (Paragraph 51).
- 3.1.7 The Upper Tribunal also held that 'It has not been shown that the background evidence indicates that returning without her partner and with the children would place her at risk of breach of her Article 3 rights or that even if she is a member of a particular social group of trafficked women from Vietnam, she faces a real risk of harm on that account. It is speculative and no more to suggest that she would face a real risk of coming across her previous traffickers or that as a woman in the circumstances in which she would return she faced a real risk of being trafficked by someone else' (Paragraph 52).
- 3.1.8 Human trafficking affects men, but within Vietnam, victims are predominately women, children, ethnic minorities and those from poorer communities. Persons are trafficked for forced labour, sexual exploitation and marriage. The penalties for sex trafficking of children under 16 are commensurate with other serious crimes (see [Prevalence](#) and [Trafficking victims](#)).
- 3.1.9 Persons claiming to be victims of trafficking more commonly leave Vietnam with a view to find work abroad. Their journey may be facilitated by organised groups, and they may face exploitation enroute and/or once in the UK. In 2022, there were a total of 768 Vietnamese potential victim referrals, to the National Referral Mechanism (NRM), within the UK. The Vietnamese government does not accept the international definition of trafficking, therefore many of those who end up in the UK are viewed as economic migrants by the Vietnamese authorities (see [Prevalence](#) and [Trafficking](#)

[victims in the UK](#)).

- 3.1.10 The cost of travelling to Europe is very high and, in some cases, those seeking work aboard may borrow money from banks or mortgage family assets to fund their travel. Debt incurred from illegal moneylenders or acquired informally can result in the person being forced to work to repay the debt (see [Trafficking victims in the UK](#) and [Debt bondage/illegal moneylending](#) and the Country Policy and Information Note on [Vietnam: fear of illegal moneylenders](#)).
- 3.1.11 There are no published statistics on the number of re-trafficking cases. In-country sources who spoke to the UK Home Office Fact-Finding team (HO FFT) in March 2019 were not aware of any cases where victims had been re-trafficked. The 6 sources spoken to by Asylors/ARC for their report on re-trafficking focus on individual cases and therefore does not provide an indication of the scale and extent to which re-trafficking might occur, but there is no indication it is widespread. Challenges in accessing support and outstanding debts may increase the risk of returnees being vulnerable to re-trafficking or reprisals (see [Reintegration](#)).
- 3.1.12 Returnees may face challenges upon return. There is some evidence to suggest that returned victims of trafficking experience discrimination and social stigma in their communities. However, IOM did note in a 2021 report that returned migrant workers often received a positive reception from their families and the wider community (see [Reintegration](#)).
- 3.1.13 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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4. Protection

- 4.1.1 In general, the state is willing and able to offer effective protection, which is generally accessible to those who fear they are at risk from being re-trafficked.
- 4.1.2 A person's reluctance to seek protection does not necessarily mean that effective protection is not available. Decision makers must consider each case on its facts. The onus is on the person to demonstrate why they would not be able to seek and obtain state protection.
- 4.1.3 The Vietnamese authorities prosecute traffickers, have increased law enforcement efforts and have introduced measures to protect victims of trafficking.
- 4.1.4 In the reported case of [Nguyen \(Anti-Trafficking Convention: respondent's duties\) \[2015\] UKUT 170 \(IAC\)](#), heard on 19 September 2013 and 15 December 2014 and promulgated 25 March 2015, the Upper Tribunal stated that 'There is evidence, in the US State Department Report of 2010 [...] that there is a sufficiency of protection provided by the authorities in Vietnam' (paragraph 52). The evidence for these findings was largely based on the US State Department Trafficking in Persons Report (USSD TiP report) on Vietnam of 2010 which stated that the Vietnamese government 'did not fully comply with the minimum standards for the elimination of trafficking' but was 'making significant efforts to do so'.

- 4.1.5 Evidence from the 2010 TiP report showed that the government were making efforts to combat cross-border sex trafficking and were able to protect some victims of trafficking although it failed to show evidence that they were able to afford protection to all victims of trafficking or that they had progressed with prosecuting labour trafficking offenders.
- 4.1.6 Current evidence shows that the situation for trafficking victims in Vietnam remains largely the same as the 2010 USSD TiP report. Key developments include the 2021 National Plan of Action (NPA) on preventing and combating human trafficking and the government's steering committee, which leads Vietnam's anti-trafficking efforts (see [Action to combat trafficking](#))
- 4.1.7 Trafficking for sexual and labour exploitation is prohibited under the law. Articles 150 and 151 prescribe penalties for these offences ranging from 5 to 12 years imprisonment and provides for fines on traffickers ranging between 20 and 200 million Vietnamese Dong [£658- £6,580], which is the equivalent of approximately 3 months- 29 months of the average monthly wage. Offences under these Articles require a demonstration of force, fraud or coercion in order to constitute a trafficking offence and this does not fully correspond with the internationally-accepted definition of trafficking (see [Law](#)).
- 4.1.8 During 2022 the government identified 255 victims of trafficking, an increase from 2021. They investigated 90 cases of trafficking involving 247 traffickers and initiated court proceedings in 53 cases involving 121 defendants. All 121 defendants were convicted, with sentences ranging from under 3 years to 20 years. The government investigated complaints related to labour recruitment and inspected labour export enterprises which resulted in fines and the revocation of one business license. Police also verified 109 cases of organisations and individuals sending workers abroad without licenses (see [Investigations](#), [Protection](#) and [Prosecutions](#)).
- 4.1.9 Whilst legislation exists and prosecutions occur, the government does not systematically refer victims to protective services as the government's definition of trafficking does not fully correspond with the internationally accepted definition. The government encourages trafficking victims to assist in the prosecution of their traffickers, however there can be reluctance on the part of victims to assist due to fears they would be penalised for offences committed as a result of being trafficked (see [Prosecutions](#)).
- 4.1.10 The government has increased efforts to prevent trafficking including through anti-trafficking training provided to those working in law enforcement and the wider criminal justice system. The 2021 National Plan of Action (NPA) on preventing and combating human trafficking places equal importance on protection, support of victims, combatting and preventing trafficking. Provincial and municipal officials conducted awareness campaigns in schools. Ministry of Labour and Social Affairs (MOLISA) also raised awareness on labour laws and safe migration practices among employment agencies and businesses (see [Action to combat trafficking](#)).
- 4.1.11 MOLISA provides protection and reintegration support for a range of vulnerable individuals – but not specifically for victims of trafficking. In order to access these government services victims must be in receipt of a victim's

certificate, which can be difficult to obtain if the government is of the opinion that the person was compliant in their illegal migration or if the victim returned of their own accord. They operate 425 social protection centres through local authorities, providing services to a wide range of vulnerable groups. Reportedly 57 of these dealt with trafficking victims which includes healthcare, legal support, accommodation, food and employment assistance. However, the government reportedly lacks adequately trained staff, including psychologists, counsellors and social workers to provide support to trafficking victims. Support for male victims of trafficking is particularly limited (see [Government and NGO assistance](#)).

- 4.1.12 Access to government run services and shelters are unlikely to be available for those returning from the UK as they would not be in receipt of a victim's certificate. Reintegration and support services may be available to them through NGOs who may be able to provide services including shelter, reintegration assistance and vocational training programmes (see [NGO support and services](#)).
- 4.1.13 Victims of trafficking may be held and questioned by the authorities on return before being released, those who have used people smugglers may be subject to an administrative fine. However, such treatment alone is not sufficiently serious to amount to persecution or serious harm. (see [Exit and Entry](#)).
- 4.1.14 Decision makers should also refer to the Country Policy and Information Note on [Vietnam: fear of illegal moneylenders](#) where the case involves the return of victims who fear reprisals from traffickers owing to debt bondage.
- 4.1.15 For further guidance on assessing state protection see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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5. Internal relocation

- 5.1.1 In general, there are parts of the country such as (but not limited to) Ho Chi Minh City or the capital Hanoi where a person would not have a well-founded fear of persecution/real risk of suffering serious harm, and it will be reasonable for them to relocate there.
- 5.1.2 Victims of trafficking may be able to escape a localised threat of re-trafficking and to avoid threats and/or stigma and discrimination from family members. However, this would depend on their circumstances, the nature of the threat and how far the threat would extend.
- 5.1.3 Decision makers must carefully consider the relevance and reasonableness of internal relocation on a case-by-case basis.
- 5.1.4 In the reported case of [Nguyen \(Anti-Trafficking Convention: respondent's duties\) \[2015\] UKUT 170 \(IAC\)](#) the UT found that 'It is speculative and no more to suggest that she would face a real risk of coming across her previous traffickers or that as a woman in the circumstances in which she would return she faced a real risk of being trafficked by someone else' (paragraph 52).
- 5.1.5 Vietnam is a large country of some 104 million people with the largest

populations in the cities of Ho Chi Minh City, and the capital, Hanoi. Internal relocation is common, and although citizens are required by law to register with the local police if they move, this is not consistently enforced and people continue to migrate from rural to urban areas without difficulty, although without official registration access to government services such as healthcare and education can be more challenging.

- 5.1.6 Women, especially single women with no support networks, may be more vulnerable to re-trafficking given their status and levels of discrimination based on their gender, and are more likely to become destitute than men. The likelihood of single women facing destitution may be mitigated by the existence of shelters, support services available from government and if eligible access to social security. They may also be able to access to support and services from civil society organisations who work with trafficking victims and civil society organisations and charities who could provide welfare support. In assessing whether a woman who is fleeing a risk of re-trafficking has a viable internal relocation alternative, decision makers must not only have regard to the availability of shelters/centres but also to the situation the woman will face after she leaves such a centre (see [Position of women](#) and [Freedom of movement](#)).
- 5.1.7 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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6. Certification

- 6.1.1 Where a claim is refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

Decision makers must use relevant COI as the evidential basis for decisions.

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section updated: 7 November 2023

7. Legal status

7.1 General

7.1.1 Article 150 of the [penal code](#) relates to human trafficking¹.

7.1.2 The US State Department's Trafficking in Persons report 2023 (USSD TiP report 2023) noted that: 'Article 150 of the penal code criminalized labor trafficking and sex trafficking of adults and prescribed penalties of five to 10 years' imprisonment and fines of 20 million to 100 million Vietnamese dong (VND) (\$847 to \$4,240) [£658.00² - £3,290³].'⁴

7.1.3 The same report went on to note that:

'Vietnamese law guaranteed trafficking victims legal assistance and protective services, including the right to legal representation; the law did not require victims to be present at or testify in person in court and allowed audio- or video-recorded testimonies. ... The law also entitled trafficking victims to compensation and restitution in trafficking cases; the government did not provide complete data on this entitlement but reported provincial cases concluded with compensation and restitution orders ranging from 3 million to 45 million VND (\$127-\$1,910) [£98.00⁵ - £1,480⁶], compared with 10 million to 100 million VND (\$423-\$4,240) [£328.00⁷ - £3,290⁸] in 2021.'⁹

7.1.4 Law No. 72/2006/QH11, the Law on Vietnamese guest workers amended under Resolution No. 51/2001/QH10 of 25 December 2001, regulates recruitment fees and related costs charged to jobseekers for overseas employment¹⁰. Nhan Dan, a state party newspaper, noted that:

'... along with the introduction of the 2020 Law on Vietnamese Guest Workers, a range of documents guiding its implementation have also been

¹ Government of Vietnam, '[Penal code](#)', 27 November 2015

² Xe.com '[20,000,000 VND to GBP](#)', 4 September 2023

³ Xe.com '[100,000,000 VND to GBP](#)', 4 September 2023

⁴ USSD, '[2023 Trafficking in persons Report: Vietnam](#)', 15 June 2023

⁵ Xe.com, '[3,000,000 VND to GBP](#)', 4 September 2023

⁶ Xe.com, '[45,000,000 VND to GBP](#)', 4 September 2023

⁷ Xe.com, '[10,000,000 VND to GBP](#)', 4 September 2023

⁸ Xe.com '[100,000,000 VND to GBP](#)', 4 September 2023

⁹ USSD, '[2023 Trafficking in persons Report: Vietnam](#)', 15 June 2023

¹⁰ ILO, '[Law on Vietnamese Guest Workers \(No. 72/2006/QH11\)](#)', 29 November 2006

issued. Under a Government decree, the licence of a guest worker service provider will be revoked if it takes advantage of the overseas dispatch of workers to engage in human trafficking, exploitation or forced labour. The acts of taking advantage of the overseas dispatch of workers to engage in exploitation and forced labour that are not sufficient for criminal prosecution will be heavily penalised under Government Decree 12/2022/NĐ-CP, dated January 17, 2022, on administrative fines in the fields of labour, social insurance, overseas dispatch of Vietnamese workers. The Ministry of Labour, War Invalids and Social Affairs' Circular No. 21/2021/TT-BLĐTBXH, dated December 15, 2021, also specifically stipulates the ceiling of service fees collected from employees for a number of industries, occupations, specific jobs to prohibit enterprises from illegally collecting fees from employees, with some industries in each market not being allowed to collect service fees.¹¹

- 7.1.5 Vietnam is a signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which it ratified in February 1982¹².

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7.2 Children

- 7.2.1 Article 151 of the [penal code](#) deals with trafficking of a person under the age of 16¹³.

- 7.2.2 The USSD TiP report 2023 noted that: 'Article 151 criminalized labor trafficking and sex trafficking of children younger than the age of 16 and prescribed penalties of seven to 12 years' imprisonment and fines of 50 million to 200 million VND (\$2,120 to \$8,470) [£1645¹⁴- £6580¹⁵]. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with other serious crimes, such as rape.'¹⁶

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7.3 Law in practice

- 7.3.1 The USSD TiP report 2023 stated that:

'Inconsistent with international law, Article 150 applied to children between the ages of 16 and 17 years old and required a demonstration of force, fraud, or coercion to constitute a sex trafficking crime; it therefore did not criminalize all forms of child sex trafficking. Civil society observers previously reported this led to confusion among the courts on how to handle cases involving 16- and 17-year-old children, particularly for cases involving labor trafficking, and that it precluded child-centered best practices in such cases. In an effort to address this concern, in 2021, the Ministry of Public Security (MPS) issued a new policy outlining child-centered procedures for the investigation of trafficking crimes committed against persons younger than the age of 18; this was the first government-issued guidance instructing law

¹¹ Nhan Dan, '[Vietnam resolute in combating human trafficking](#)', 30 July 2022

¹² OHCHR, '[Ratification Status for Viet Nam](#)', undated

¹³ Government of Vietnam, '[Penal code](#)', 27 November 2015

¹⁴ Xe.com, '[50,000,000 VND to GBP](#)', 4 September 2023

¹⁵ Xe.com '[200,000,000 VND to GBP](#)', 4 September 2023

¹⁶ USSD, '[2023 Trafficking in persons Report: Vietnam](#)', 15 June 2023

enforcement to handle trafficking cases involving 16- and 17-year-olds as child trafficking cases. Authorities did not report statistics on its implementation in 2022. Vietnam also maintained a broad 2011 anti-trafficking law that focused primarily on preventative measures; it contained some provisions that reportedly conflicted with the definitions outlined in the penal code. According to NGO representatives, some officials were therefore unsure whether to apply the 2011 law or penal code provisions when handling trafficking cases. The government continued efforts to revise this law according to a six-step action plan, developed in the previous reporting period, to address deficiencies of the law, along with the gap in coverage for 16- and 17-year-old children, in advance of projected 2023 amendments.¹⁷

- 7.3.2 The US Department of State report on human rights practices observed that: ‘The law criminalizes all forms of labor trafficking. The government does not effectively enforce the law. The law does not provide any penalty for violating provisions prohibiting forced labor. NGOs continued to report the occurrence of forced labor of men, women, and children...’¹⁸
- 7.3.3 The Vietnam Human Rights Network (VHRN), a non-profit NGO in their 2022 publication noted: ‘Despite the brutal consequences of the illegal export of workers, the Vietnamese government still refuses to see the abuse they suffer as constituting human trafficking. Even the March 2011 Law on Anti-Human Trafficking, in effect since May 1, 2012, stops short at the general concept of “forced labor” and does not recognize the deception and exploitation of people working abroad as a form of human trafficking.’¹⁹

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section updated: 25 September 2023

8. Prevalence

8.1 Within country

- 8.1.1 Walk Free produced the report ‘The Global Slavery Index (GSI) 2023’. They collect data across 75 countries, assess national-level vulnerability and use estimates from interviews with survivors collected through nationally representative household surveys. Using this information they estimate that there are 396,000 people in modern slavery in Vietnam²⁰. In the GSI 2023 report, Walk Free’s definition of modern slavery refers to: ‘...situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, or abuses of power. It takes many forms and is known by many names — forced labour, forced marriage, debt bondage, sexual exploitation, human trafficking, slavery-like practices, forced or servile marriage, and the sale and exploitation of children.’²¹
- 8.1.2 The USSD TiP report 2023 noted that: ‘Observers claim many sex trafficking cases are unreported because of social stigma and victims’ fear of possible

¹⁷ USSD, ‘[2023 Trafficking in persons Report: Vietnam](#)’, 15 June 2023

¹⁸ USSD, ‘[2022 Country Reports on Human Rights Practices: Vietnam](#)’, 20 March 2023

¹⁹ VHRN, ‘[Report on Human Rights in Vietnam 2021-2022](#)’ (3.3), 17 June 2022

²⁰ Walk Free, ‘[Global Slavery Index 2023](#)’ (page 118), 2023

²¹ Walk Free, ‘[Global Slavery Index 2023](#)’ (page 9), 2023

repercussions by authorities.’²²

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8.2 Outside of Vietnam

8.2.1 The International Organization for Migration’s (IOM) report on ‘Asia-Pacific migration data report 2021’ published in 2022 noted that: ‘The current number of Vietnamese workers abroad is estimated to be about 580,000, including 230,000 in Taiwan Province of People’s Republic of China, 250,000 in Japan, 50,000 in the Republic of Korea and the rest in the Middle East, Africa, South-East Asia and Europe. The COVID-19 pandemic has strongly disrupted the deployment of Vietnamese workers abroad.’²³

8.2.2 The 2022 Home Office statistical bulletin end of year summary for cases referred to the National Referral Mechanism (NRM) noted that in 2022 768 Vietnamese nationals were referred to NRM, a fall of 22% from the previous year. The summary went on to note that:

‘The fall in referrals from Vietnamese nationals in 2022 was largely driven by the 27% fall in males compared to the previous year, whereas female numbers were similar. More specifically, the number of male Vietnamese referrals reporting labour exploitation fell from 330 in 2021 to 186 in 2022. Both Vietnamese adult and child potential victims fell at similar rates (by 22% and 20% respectively) from the previous year, with adults continuing to account for the majority (64%; 495) of referrals.’²⁴

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section updated: 9 October 2023

9. Profiles of victims of trafficking

9.1 Trafficking victims in general

9.1.1 The UK Home Office (HO) conducted a Fact-Finding Mission (FFM) to Vietnam between 23 February and 1 March 2019. The Fact-Finding Team (FFT) were met with representatives from the government’s Ministry of Labour and Social Affairs (MOLISA) who stated that: ‘Victims can be of all ages but the age range of 15-30 years old accounts for the most part. About 90% of them are female and about 80% or more are ethnic minorities. Cases occur mostly near the border, the northern border. About 75% of victims were trafficked to China.’²⁵

9.1.2 The Australian Government’s Department for Foreign Affairs and Trade’s (DFAT) Country Report for 2022, based on a range of public and non-public available sources including on-the-ground knowledge and discussions with a range of sources, noted that:

‘Vietnam is a source, transit and destination country for trafficking. Women and children, particularly from ethnic minorities, are common victims, but men have also been subjected to trafficking. Victims are trafficked using coercion, force or deception to higher and lower wealth countries in Asia and

²² USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

²³ IOM [‘Asia Pacific-Migration Data Report 2021’](#) (page 49), 2022

²⁴ UK Home Office, [‘NRM and Duty to Notify statistics UK, end of year summary 2022’](#), 2 March 2023

²⁵ UK Home Office, [‘HO FFM report’](#) (annex D- MOLISA), September 2019

the Middle East, but also via complex routes to Western countries, including in Europe. ... While the majority of trafficking victims are poor and uneducated, a recent trend of trafficking of educated young students or recent graduates from more middle-class backgrounds has been observed. Advocates claim the situation has worsened during the COVID-19 pandemic, and is more likely to be organised online.²⁶

9.1.3 Blue Dragon, an NGO who helps children in crisis throughout Vietnam, including those who have been the victims of trafficking, noted, in a November 2021 report, that their findings indicate that around 84% of trafficking victims are female and this aligns with official government data which states that 85% of victims are female. Blue Dragon go on to note however that: ‘...this statistic likely does not accurately reflect the fact that labour trafficking, which primarily targets men and boys, is underrepresented in all available statistics for Vietnam.’²⁷ See also [Trafficking victims in the UK](#).

9.1.4 The USSD TiP report 2023 stated that:

‘As reported over the past five years, human traffickers exploit domestic and foreign victims in Vietnam, and traffickers exploit victims from Vietnam abroad. Fifty-five percent of workers work in the informal economy where labor laws are not effectively enforced, increasing vulnerability to trafficking.

‘... Within the country, pandemic-related unemployment, restrictions on movement, and other socio-economic stressors increased vulnerabilities to trafficking, particularly for women and children in rural areas and among ethnic minorities.

‘One study indicates 80 percent of known trafficking victims in Vietnam are members of ethnic minority communities. Another suggests 5.6 percent of children in Vietnam may experience coercion or exploitation indicative of trafficking or in the context of migration, with children from rural and underserved communities at particularly high risk.’²⁸

9.1.5 The same report noted that, ‘Widespread social stigma increases LGBTQI+ individuals’ vulnerability to trafficking.’²⁹

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9.2 Trafficking victims in the UK

9.2.1 The UK HO FFT were informed by various diplomatic sources that:

‘The Vietnamese see many of those Vietnamese nationals that go to the UK and remain there illegally as being economic migrants. They are sending remittances back to Vietnam and fuelling the economy. There is a special website in the UK for Vietnamese to find jobs. Why is the UK so desirable? There is a big diaspora in UK, they know UK authorities treat them nicely, they know the UK doesn’t detain minors, and it will be easy to get a job. In some of the provinces it appears that travelling to UK and abroad is similar to a rite of passage. In many cases where Vietnamese are encountered by

²⁶ DFAT, ‘[Country Information Report Vietnam](#)’ (para 3.87), 11 January 2022

²⁷ Blue Dragon, ‘[What makes people vulnerable to Human Trafficking](#)’ (page 17), November 2021

²⁸ USSD, ‘[2023 Trafficking in persons Report: Vietnam](#)’, 15 June 2023

²⁹ USSD, ‘[2023 Trafficking in persons Report: Vietnam](#)’, 15 June 2023

authorities and believed to be potential victims of trafficking, they will have entered the UK clandestinely.³⁰

- 9.2.2 Representatives from IOM told the UK HO FFT that the profile for victims of trafficking in the UK was: 'Based on our experience in engaging with returnees and recent research, the profile appears to predominantly involve men of an average age of 35 with a background of basic education and some economic difficulty, but not abject poverty. The profile of those migrating irregularly to the UK and also for those who claim to have been trafficking in the UK also appears to apply particularly to five key provinces.'³¹
- 9.2.3 NGO Alliance Anti-Traffic (AAT), who work in Vietnam to eliminate sexual exploitation and provide support to victims, told the UK HO FFT that: 'They [Victims of Trafficking (VoT)] go to UK not because they are poor but because they want more money. They cannot be poor to get to the UK. There are not low educated people, but most of the women are more uneducated. To go in UK, they must pay traffickers 30.000 pounds. They usually fly to Moscow before they are transferred in Europe.'³²
- 9.2.4 The National Crime Agency's (NCA) report on 'The Impact of Vietnamese Organised Immigration Crime and Modern Slavery and Human Trafficking on the UK' noted that:

'...It is almost certain that the majority of Vietnamese irregular migration to the UK, including that which results in exploitation, is facilitated by OIC [organised immigration crime] groups and offenders. Migrants travelling to the UK are also vulnerable to exploitation en route to the UK.

'Evidence recorded between 2019 and 2022 has shown that Vietnamese irregular migrants are at risk of exploitation and other harms both en-route to and on arrival in the UK. It is highly likely that the greatest risk of physical harm to Vietnamese irregular migrants and victims of trafficking is in transit to the UK.

'... Many Vietnamese migrants are highly likely to work in exploitative conditions, and some will be in situations of slavery and trafficking. This can include the use of debt bondage to repay agreed travel costs for transit to the UK, and it is highly likely that artificial inflation of this debt is the most significant defining factor in the exploitation of Vietnamese irregular migrants. It is almost certain that victims of MSHT [modern slavery and human trafficking] do not constitute the majority of the workforce in sectors or activities in which Vietnamese migrants are commonly identified.

'It is highly likely that employment in illegal activity, such as cannabis cultivation, offers the highest earnings, and therefore the quickest way to pay off debts and generate income. In contrast, employment in nail bars, restaurants and shops is perceived by prospective migrants to carry a lower risk of detection by authorities, but necessitates a longer period of debt or higher upfront payment.

³⁰ UK Home Office, '[HO FFM report](#)' (annex D- Diplomatic sources), September 2019

³¹ UK Home Office, '[HO FFM report](#)' (annex D- Representatives from IOM), September 2019

³² UK Home Office, '[HO FFM report](#)' (annex D- AAT), September 2019

‘... The UK is widely perceived as an attractive destination by Vietnamese nationals seeking economic opportunities overseas, despite limited opportunities for legal migration. It is almost certain that the perceived ease of working illegally is the single most significant pull factor for Vietnamese migrants using irregular routes into the UK. However, other factors such as the perception of the UK as relatively welcoming of migration, and English language being widely spoken in Vietnam also play a role.’³³

9.2.5 The USSD TiP report 2023 stated that: ‘Vietnamese men and women migrate abroad for work informally, including through illicit brokerage networks operated by other Vietnamese nationals based abroad, or through state-owned or state-regulated labor recruitment enterprises.’³⁴

9.2.6 The Overseas Development Institute (ODI), in partnership with the Association of Southeast Asian Nations and Australia Counter Trafficking (ASEAN-ACT), produced a report ‘Labour migrants’ vulnerability to human trafficking and labour exploitation in Southeast Asia: An analysis of Vietnam’, published in July 2023 (the 2023 ODI report). The report stated that:

‘Vietnam is estimated to have 560,000 migrant workers in 43 countries, although the actual number, including irregular migration, is probably far higher.

‘... Most labour trafficking begins with a choice to migrate for work. While they may exercise choice, migrant workers do not always have the power to demand better working conditions or control their migration journeys.

‘... Sectors of vulnerability include construction, forestry, garment manufacturing, and nail salons. There has been an increase in cases identified in recent years, transiting through countries such as China, Russia, Belgium, or Germany to then move on to France, Netherlands, or the UK, in risky conditions. The UK authorities have recognised Vietnamese migrants as among the most vulnerable to trafficking, where adults and children experience differing degrees of coercion and force in criminal activity, such as growing cannabis, as well as exploitative work in nail salons.’³⁵

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9.3 Traffickers

9.3.1 Hagar International, an international NGO in Vietnam which aims to support women and children affected by trauma particularly from domestic violence and trafficking, told the UK HO FFT that: ‘Most information about traffickers comes from clients and they say mostly that it involves someone asking them to go out or they promise them an education or job and they just follow. ... In most cases they go to another country for a job and then receive very bad treatment. When they come back the government says they are not a victim of human trafficking because they went there by themselves.’³⁶

9.3.2 The USSD TiP report 2023 stated that:

³³ NCA, ‘[Report the impact of Vietnamese Organised Immigration ...](#)’, (pages 1-3) February 2022

³⁴ USSD, ‘[2023 Trafficking in persons Report: Vietnam](#)’, 15 June 2023

³⁵ ODI, ‘[Labour migrants’ vulnerability... An analysis of Vietnam](#)’, (page 9, 13 and 37), 30 July 2023

³⁶ UK Home Office, ‘[HO FFM report](#)’ (annex D- Hagar International), September 2019

‘Traffickers are increasingly taking advantage of pandemic-induced unemployment to lure Vietnamese nationals, especially women and members of ethnic minority groups, with false promises of job opportunities abroad. Traffickers exploit Vietnamese women and children in sex trafficking overseas, misleading many victims with fraudulent employment opportunities and transferring them to commercial sex establishments on the borders of the [People's Republic of China] PRC, Cambodia, and Laos, or elsewhere in Asia, West Africa, and Europe. ... Traffickers exploit women and girls in Vietnam to sex trafficking in massage parlors, karaoke bars, and hotels. ... Traffickers in border villages reportedly abduct Vietnamese women and girls, particularly from the Hmong ethnic minority group, and transport them to the PRC for forced marriages that often feature corollary sex trafficking and/or forced labor indicators. There are reports of Vietnamese women and girls in forced childbearing, including cases in which traffickers lure them to the PRC with false job offers, abduct them at the border, and transfer them to unregulated hospital facilities, where they are subjected to forcible artificial insemination and confined until they give birth.

‘... Traffickers increasingly use the Internet, gaming sites, and social media to lure victims, proliferate trafficking operations, and control victims by restricting their social media access, impersonating them, and spreading disinformation online. Men often entice young women and girls with online dating relationships, persuade them to move abroad, then exploit them in forced labor or sex trafficking. During the migration process, European gangs and traffickers often exploit Vietnamese victims in forced labor and sex trafficking before they reach their final destination.

‘... Traffickers are sometimes parents, family members, or small-scale networks exploiting Vietnamese men, women, and children – including unhoused children and children with disabilities – in forced labor, although little information is available on these cases.

‘... Traffickers exploit children and adults in forced labor in the garment sector, in street hawking and begging in major urban centers, and in forced or bonded labor in brick factories, urban family homes, and privately run rural gold mines. Sex traffickers target many children from impoverished rural areas and a rising number of women from middle class and urban settings. Traffickers increasingly channel their criminal activities through the traditional practice of “bride kidnapping” to exploit girls from ethnic minority communities in the northwest highlands, including in sex trafficking and forced labor in domestic service. Child sex tourists, reportedly from elsewhere in Asia, the UK, other countries in Europe, Australia, Canada, and the United States, exploit children in Vietnam.’³⁷

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9.4 Recruitment agencies

- 9.4.1 The USSD TiP report 2023 stated that: ‘Some recruitment companies are unresponsive to workers’ requests for assistance in situations of exploitation, and some charge excessive fees, increasing workers’ vulnerability to forced

³⁷ USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

labor through debt-based coercion.³⁸

9.4.2 The 2023 ODI report noted that:

‘The drive for labour migration has led to an industry of recruiters and brokers ready to facilitate the journey of migrant workers, whether through formal or informal channels.

‘... There are 491 licensed recruitment agencies that provide predeparture training, placement services and manage the migration process for which they charge recruitment fees. Of these, 196 are members of the Vietnam Association of Manpower Supply (VAMAS). In addition, there are large numbers of brokers that recruit workers informally. Some of these are connected to recruitment agencies, while others connect workers directly with employers in the destination countries.

‘... The majority of migrant workers are placed by government-licensed recruitment agencies that are connected to employers in destination countries, i.e. where employers contact recruitment agencies to identify employees, or through brokers in destination countries.’³⁹

9.4.3 Details on recruitment fees and related costs legally permitted for overseas employment can be found in the 2021 IOM report [‘Vulnerabilities and risks of exploitation encountered by Vietnamese migrant workers- a qualitative study of returnees’ labour migration experiences’](#).

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9.5 Debt bondage/illegal moneylending

9.5.1 Representatives from IOM told the UK HO FFT that: ‘In terms of the process, these men [trafficking victims in the UK] generally gather or borrow the funds from family and friends to fund their travel/illegal migration to the UK, or by mortgaging property. In a minor number of cases (very few) some have borrowed funds from gangs.’⁴⁰

9.5.2 The United Nations Action for Co-operation against Trafficking in Persons (UN-ACT) told the UK HO FFT:

‘The central provinces are the hotspots for people going to the UK. They are mainly poor people and they borrow money from brokers and find ways to go to the UK. It is a network of brokers and the brokers make money that way. The brokers are not just Vietnamese nationals, it also includes people from other countries in Europe. In that network there is someone who lends money here, and there is one in the UK. I have never heard of people being threatened here. There is a network of brokers, so they know where they are. No, it’s a network, they are exploited and tortured there (in the UK).’⁴¹

9.5.3 The report ‘Precarious Journeys’, published in 2019 by several anti-slavery charities with funding from the Home Office Modern Slavery Innovation Fund noted that:

³⁸ USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

³⁹ ODI, [‘Labour migrants’ vulnerability... An analysis of Vietnam’](#) (pages 13, 24 and 27), 30 July 2023

⁴⁰ UK Home Office, [‘HO FFM report’](#) (annex D- Representatives from IOM), September 2019

⁴¹ UK Home Office, [‘HO FFM report’](#) (annex D- UN-ACT), September 2019

'The system of debt bondage is prevalent amongst Vietnamese victims of trafficking in Europe. The cost of travelling to Europe typically ranges between \$10,000 USD and \$40,000 USD [approx. £8,000⁴² - £32,000⁴³]. Funds for travel are commonly borrowed, or family property is given as collateral. Smugglers demand interest on borrowed money, and the amounts owed can rise quickly. If debt lies with the remaining family in Vietnam, this can be used as a way to pressure and control the victim. The risk of economic exploitation through debt owed to the smuggler is significant because victims and potential victims do not wish their family to lose their home or be in danger. Migrants commonly acquire informal work throughout their journey to pay off such debt and enable them to continue moving.'⁴⁴

- 9.5.4 The IOM report 'Vulnerabilities and risks of exploitation encountered by Vietnamese migrant workers - a qualitative study of returnees' labour migration experiences', published in 2021 noted that:

'Due to mounting debts incurred to cover costs and fees during the recruitment process, migrant workers often had little option but to continue the process to repay their debt. In some cases, the only option to cover migration costs was to borrow from banks or mortgage family assets, while others saw recruitment fees and costs deducted from salaries during employment. Thus, not only did a pattern of indebtedness and debt bondage emerge, so did one of deceptive recruitment.'⁴⁵

- 9.5.5 The 2022 DFAT report stated that:

'Trafficking victims are likely to have their documents confiscated and be unable to leave their place of detention without a bodyguard. They will likely have a large debt with high interest rates that they are told they must pay back to the traffickers. It may take years to pay the debt and the situation may be worse if they are trafficked to wealthy countries with high living costs. Escape can be high risk and some women have experienced injury trying to escape, for example jumping from windows of multi-storey buildings.'⁴⁶

- 9.5.6 The National Crime Agency's (NCA) report on 'The Impact of Vietnamese Organised Immigration Crime and Modern Slavery and Human Trafficking on the UK' noted that: 'The reported costs to facilitate entry of Vietnamese migrants to the UK vary, but in the majority of cases run to tens of thousands of pounds, with GBP 7,800 and GBP 39,000 noted as the extremes in the range. It is almost certain that exorbitant fees are charged for each element and that in the majority of cases the bulk of payment is made via debt bondage, rather than upfront.'⁴⁷

- 9.5.7 The 2023 ODI report stated that: 'Extortionate fees of up to USD 30,000 (equivalent to AUD52,000)[approx. £24,000⁴⁸] to get to countries in Western Europe put migrants at risk, and often in forced labour conditions to repay

⁴² Xe.com, '[10,000 USD to GBP](#)', 13 September 2023

⁴³ Xe.com, '[40,000 USD to GBP](#)', 13 September 2023

⁴⁴ ECPAT UK et al, '[Precarious Journeys- Mapping vulnerabilities of victims...](#)', (page 11), 2019

⁴⁵ IOM, '[Vulnerabilities and Risks of Exploitation Encountered by Vietnamese...](#)' (page 45), 2021

⁴⁶ DFAT, '[Country Information Report Vietnam](#)' (para 3.88), 11 January 2022

⁴⁷ NCA, '[Report the impact of Vietnamese Organised Immigration Crime ...](#)' (page 2), February 2022

⁴⁸ Xe.com '[30,000 USD to GBP](#)', 11 September 2023

the debts incurred for the migration.⁴⁹

- 9.5.8 For further information on illegal moneylending see the country policy and information note on [Vietnam: fear of illegal moneylenders](#).

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section updated: 7 November 2023

10. Action to combat trafficking

10.1 Prevention

- 10.1.1 When asked about awareness raising that happens in country UN-ACT told the UK HO FFT that:

‘For the government, they do so through the media and sometimes they have campaigns. Vietnam now has the National Day against Trafficking in Persons (30 July) so the government organise campaign on that day or in July. There was a documentary that was broadcast nationally at primetime with trafficking cases, convictions and sentences. There has been a series of investigative films on trafficking cases. The second way is through the support of international organisations. They have awareness raising campaigns working with communities and villages and agencies at grassroot levels. The campaigns involve local community people a lot. This is how we raise awareness on human trafficking. We have communication products- leaflets, books, photos, videos, stories and we can distribute them as widely as possible.’⁵⁰

- 10.1.2 The National Day against Trafficking in Persons continues to be held on 30 July every year^{51 52}.

- 10.1.3 The USSD TiP report 2023 stated that:

‘The government increased efforts to prevent trafficking. The government’s Steering Committee on Combatting Crimes (steering committee) led Vietnam’s anti-trafficking efforts. The government’s interagency working group, which included government agencies that operated in the provinces, supervised anti-trafficking efforts in the provinces and coordinated with the steering committee. Observers reported decreased interagency cooperation and prioritization of anti-trafficking efforts, which resulted in increased bureaucratic hurdles after the reassignment of anti-trafficking coordination to a different office in the MPS. The government continued to implement its anti-trafficking NAP for 2021-2025. The government allocated 14.5 billion VND (\$614,150) [£477,169.00⁵³] to its trafficking prevention efforts and for the implementation of the NAP, compared with allocating 17 billion VND (\$720,030) [£592,739⁵⁴] in the 2021 budget. The government did not make any information on the implementation of the NAP public, but it monitored and evaluated its own progress against the plan through internal weekly, monthly, and semi-annual reports. Provincial and municipal officials

⁴⁹ ODI, ‘[Labour migrants’ vulnerability ... An analysis of Vietnam](#)’ (page 37), 30 July 2023

⁵⁰ UK Home Office, ‘[HO FFM report](#)’ (annex D- UN-ACT), September 2019

⁵¹ VOV World, ‘[Vietnam responds to World Day against Trafficking in Persons](#)’, 21 July 2023

⁵² Vietnam Law Magazine, ‘[IOM ready to help Vietnam eliminate trafficking in ...](#)’, 30 July 2023

⁵³ Xe.com, ‘[14,500,000,000 VND to GBP](#)’, 4 September 2023

⁵⁴ Xe.com, ‘[720,030 USD to GBP](#)’, 4 October 2023

conducted awareness campaigns targeting school-aged children and the public, many in partnership with NGOs.

'... As in prior years, MOLISA [the Vietnamese Ministry of Labour, Invalids and Social Affairs] raised awareness on labor laws and safe migration practices among employment services centers and businesses. Previous NGO reports indicated Vietnam did not make sufficient efforts to educate the public on the risks inherent to seeking work abroad through unscrupulous labor export companies or vulnerable recruitment channels.'⁵⁵

10.1.4 The 2023 ODI report noted:

'In February 2021, the government enacted a new National Plan of Action (NPA) on preventing and combating human trafficking in the 2021-2025 period, with a vision to 2030, building on three previous plans. With responsibility for implementation placed on all relevant ministries, agencies and local authorities, the new plan includes a broader range of target groups for communication campaigns, giving priority to people in remote areas, and from ethnic minorities. Reception, verification, identification, rescue, protection of and support for victims of trafficking are viewed as equally important to combating and preventing trafficking, a shift highlighted in the plan's overall objective. Enhanced collaboration among the relevant ministries is promoted and the plan advocates a victim-centred approach with policies and laws related to human trafficking regularly reviewed and revised for internal coherence and consistency, compatibility with regional and international laws, and alignment with developments in counter-trafficking work.'⁵⁶

10.1.5 In relation to anti-trafficking training the USSD TiP report 2023 stated that:

'The government, in partnership with international organizations, NGOs, and foreign governments, provided anti-trafficking training to law enforcement officers, border guard forces, prosecutors, judges, diplomats, provincial and district level officials, and front-line workers.

'... The government provided anti-trafficking training to its diplomatic personnel. The mandatory trainings focused on trafficking prevention, including anti-trafficking regulations, policies, and laws.'⁵⁷

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10.2 Investigations

10.2.1 The USSD TiP report 2023 reported that:

'The government investigated 247 suspected traffickers in 90 cases in 2022, compared with 149 suspected traffickers in 77 cases in 2021. Unlike the previous year, the government did not provide disaggregated sex or labor trafficking data; some of the included data involved unspecified forms of trafficking and some cases initiated in prior years. Authorities did not provide sufficient information to determine if the unspecified forms of trafficking cases met the international law definition of trafficking. Of the 90 cases

⁵⁵ USSD, '[2023 Trafficking in persons Report: Vietnam](#)', 15 June 2023

⁵⁶ ODI, '[Labour migrants' vulnerability ... An analysis of Vietnam](#)' (page 21), 30 July 2023

⁵⁷ USSD, '[2023 Trafficking in persons Report: Vietnam](#)', 15 June 2023

investigated, 49 cases involved transnational trafficking to the PRC and Cambodia.

'... MOLISA received 69 civil complaints related to labor recruitment practices in 2022, compared with 58 in 2021; this led to the inspection of 15 labor export enterprises, of which it fined four for administrative violations to a total of 212.5 million VND (\$9,000) [£7,461⁵⁸], compared with 16 inspections and 12 fines leading to 699 million VND (\$29,610) [£24,544⁵⁹] in 2021. MOLISA revoked one business license of recruiters for violations of the 2006 Law on Guest Workers, compared with none in 2021. Local police investigated and verified 109 cases of organizations and individuals sending workers abroad without licenses, compared with 128 cases in 2021.'⁶⁰

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10.3 Protection

10.3.1 The USSD TiP report 2023 stated that:

'The Government of Vietnam does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so.

'... The government increased efforts to protect victims. The government identified 255 victims – 102 females, 153 males, and 74 children – compared with identifying 126 victims – 114 females, 12 males, and 45 children – in 2021. All identified victims were Vietnamese, including 195 labor trafficking victims and 14 victims of “sexual exploitation,” compared with 22 victims exploited in labor trafficking and 28 victims of “sexual exploitation” in 2021, respectively; some of the victims of “sexual exploitation” reported each year may not have been trafficking victims according to international standards. The government did not report disaggregated data on victims exploited in forced labor in cyber scam operations. Eighty-nine victims were members of ethnic minority communities, compared with 64 in 2021. Forty-six individuals were victims of unspecified forms of trafficking, which in prior years included “illegal marriage” and “illegal adoption,” without the purpose of exploitation, neither of which was consistent with international law definitions of trafficking, compared with 76 such individuals in 2021... The victim identification process remained overly cumbersome and complex, requiring approval from multiple ministries before victims could be formally identified and assisted.

'Due to a lack of capacity, personnel, and resources, law enforcement and other officials likely detained, deported, and arrested some unidentified trafficking victims; border guards reported insufficient staffing at guard stations along the PRC border hindered their ability to adequately screen for trafficking victims. Despite conducting more than 32,000 inspections of the most at-risk establishments for sex trafficking, authorities only identified two sex trafficking victims. Due to a lack of systematic implementation of victim-centered screening procedures during these inspections, authorities may have penalized some unidentified trafficking victims solely for unlawful acts committed as a direct result of being trafficked. The Ministry of Labor,

⁵⁸ Xe.com, '[9,000 USD to GBP](#)', 3 October 2023

⁵⁹ Xe.com, '[29,610 USD to GBP](#)', 3 October 2023

⁶⁰ USSD, '[2023 Trafficking in persons Report: Vietnam](#)', 15 June 2023

Invalids, and Social Affairs (MOLISA) Department of Social Vices Prevention developed a screening toolkit to identify Vietnamese trafficking victims in the country, including individuals in commercial sex and those working in restaurants, karaoke clubs, and bars; however, officials had not finalized the toolkit by the end of the reporting period.

‘... In the past, civil society groups reported Vietnamese victims feared reprisals from authorities for immigration offenses committed as a direct result of being trafficked, and international observers reported government officials often blamed Vietnamese citizens for their exploitative conditions abroad or suggested victims inflated abuses to avoid immigration violations.

‘... MOLISA, with donor funding, operated a 24-hour hotline for victims of crime, including trafficking. Hotline operators could speak Vietnamese, English, and seven ethnic minority languages. The hotline received 2,434 calls, compared with 3,808 in 2021; and it received 105 trafficking referrals involving 120 victims, including 44 child victims and 98 labor trafficking victims, – 38 were female and 82 were male – compared with 35 referrals involving 39 victims in 2021. The hotline referred 96 victims to the police, 22 victims to MOLISA, and 54 victims to NGOs.’⁶¹

10.3.2 The same report noted that:

‘The government used victim identification criteria disseminated by the Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT), along with its own victim identification procedures approved in 2014. However, authorities did not proactively use the COMMIT criteria or their own procedures to screen for trafficking indicators among key vulnerable populations, including individuals in commercial sex, individuals transiting border stations, workers in the fishing and seafood processing industries, migrant workers returning from abroad, child laborers, or individuals fleeing cyber scam operations in neighboring countries.... Authorities did not proactively identify victims exploited in cyber scam operations as trafficking victims or provide them with services, including foreign national victims identified in Vietnam, despite widespread reports indicating the majority of individuals recruited for these operations faced conditions indicative of labor trafficking.’⁶²

10.3.3 With regards to the functioning of the NRM, the same report noted that:

‘The government maintained an NRM approved in 2014, but some local officials’ unfamiliarity with anti-trafficking protocol and policies, insufficient interjurisdictional cooperation, and limited social worker capacity continued to hinder its systematic implementation. The government continued a process, initiated in the previous year, to revise the NRM and signed a regulation to increase inter-ministerial coordination of victim identification and referral. After its July 2022 signing, MOLISA directed all 63 provinces to create provincial-level frameworks outlining the procedures and roles for each department, agency, and organization involved in victim support. Twenty-seven provinces completed frameworks. NGOs reported concern some provincial frameworks lacked specific measures to combat challenges

⁶¹ USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

⁶² USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

unique to a province. Observers noted multiple provinces enacted provincial-level action plans in response to the frameworks.⁶³

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10.4 Prosecutions

10.4.1 The USSD TiP report 2023 noted:

‘The government increased law enforcement efforts.

‘... Prosecutors submitted 55 cases involving 163 alleged traffickers to be considered for prosecution in 2022... Of these, the Supreme People’s Procuracy (SPP) accepted 54 cases involving 157 alleged traffickers for prosecution, including 29 cases under Article 150 and 25 cases under Article 151... Courts ultimately accepted 69 cases involving 155 alleged traffickers for full prosecution but only initiated proceedings in 53 cases involving 121 defendants... Among the 53 prosecuted cases, courts tried 24 cases involving 65 defendants under Article 150 and 29 cases involving 56 defendants under Article 151... Courts convicted all 121 defendants under Articles 150 and 151... Sentences for convicted traffickers ranged from less than three years’ to 15-20 years’ imprisonment under Articles 150 and 151, compared with less than three years’ to life imprisonment in 2021.

‘... The government encouraged trafficking victims to assist in judicial proceedings against traffickers; however, in prior years, NGOs reported victims were hesitant to participate in prosecutions because of fear they would be penalized for immigration offenses committed as a direct result of being trafficked. The government reported 29 victims participated in investigations or prosecutions.’⁶⁴

10.4.2 The 2023 ODI report stated:

‘Vietnam still imposes administrative penalties for those who work in the sex industry and some provinces may impose fines who may have migrated irregularly, which may include victims of trafficking for sexual exploitation and labour exploitation who have not been officially identified as such. As a result, victims and returned trafficking victims have avoided reporting offences. The law on Legal Aid 2017 includes provisions for victims of trafficking to receive free legal aid but is available only in cases of severe economic difficulties, excluding returned trafficking victims who cannot prove their financial need.’⁶⁵

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10.5 Corruption

10.5.1 The USSD TiP report 2023 noted:

‘In May 2022, courts sentenced two police officers for concealing a trafficking crime and knowingly extorting a trafficker instead of reporting him. In June 2022, the government recalled a labor attaché and another staff member from Saudi Arabia who allegedly directly facilitated the forced labor of several Vietnamese nationals in Saudi Arabia. In January 2023, the

⁶³ USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

⁶⁴ USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

⁶⁵ ODI, [‘Labour migrants’ vulnerability ... An analysis of Vietnam’](#) (page 22), 30 July 2023

government reported initiating criminal procedures against the two officials; the government had previously removed the labor attaché from his position and issued a disciplinary decision. Although authorities imposed administrative penalties on some of the entities involved in the initial fraudulent recruitment or transportation of the victims to Saudi Arabia, they did not seek criminal accountability; some of these alleged accomplices returned to Vietnam or traveled elsewhere, and at least one reportedly continued recruitment activities with impunity.⁶⁶

10.5.2 The same report stated:

‘The Communist Party of Vietnam (CPV) administered disciplinary actions – including warnings, arrests, and expulsion from the CPV – against numerous current and former Ministry of Foreign Affairs (MFA) officials, including four high-ranking MFA consular officials, for their role in a long-running bribery scandal involving MFA-chartered repatriation flights during pandemic lockdowns. The MFA officials forced Vietnamese nationals stranded abroad during the pandemic to pay exorbitant repatriation fees – a common source of indebtedness that traffickers were known to exploit.’⁶⁷

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section updated: 28 November 2023

11. Government and NGO assistance

11.1 Government run shelters and support

11.1.1 When asked about certification and available government support services Hagar International told the UK HO FFT that:

‘Victims have [a] certificate to show they are a victim, so they are eligible for government support. If they get them at the border the authorities can provide a certificate (if there is enough information to conclude) to access services. If they come back by themselves, they don’t have that and can’t access support from the government.

‘Normally safe accommodation and emergency support for clothes food and legal aid support. The law says victims have right to safe accommodation, but there are not many shelters around, and the victims have the right for psychology support but the government do not have enough qualified counsellors. They don’t have enough budget.

The challenge is the support system, according to law they are eligible for support but in reality, they don’t get much. Once they go back to Vietnam they are supposed to provide travel support to go back home once home they are supposed to get economic support. Some provinces state that some support is only offered to survivors who are from a poor household.

They have to have the victim certificate for long term support and for some support, they need to be in poor household.’⁶⁸

⁶⁶ USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

⁶⁷ USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

⁶⁸ UK Home Office, [‘HO FFM report’](#) (annex D- Hagar International), September 2019

- 11.1.2 An NGO spoken to by the UK HO FFT stated the following with regards to whether when a victim is identified, they are issued with a victim certificate:
- ‘Not all. By law they will get a certificate which certifies they are a victim of trafficking. It can be granted by border officials or the migration office. It only happens when the person is handed over at the border legally. Eighty percent of victims rescue themselves and cross the border illegally and do not want to make any statement and don’t want to go.
- ‘The certificate allows them to receive a support package with 50 USD, but they cannot get this instantly due to procedures in processing. It takes time and they have to give confidential information, they have to wait and give confidential information and then everyone knows.’⁶⁹
- 11.1.3 The 2022 DFAT report noted: ‘The Government provides assistance to help women escape. Assistance is also offered to Vietnamese women outside Vietnam through inter-country cooperation. Some victims find that processes to assist are bureaucratic and difficult to navigate, or find it difficult to provide evidence and that state compensation may not be paid correctly.’⁷⁰
- 11.1.4 The USSD TiP report 2023 noted:
- ‘Authorities assisted 252 victims, including 142 men and 110 women and 105 members of ethnic minority groups, compared with assisting 111 victims, including 12 men and 99 women and 64 members of ethnic minority groups in 2021.
- ‘... The government reported 57 out of 425 social support facilities nationwide assisted trafficking victims, including other vulnerable populations; some of these facilities operated with NGO funding and none provided services for men or child victims exclusively. Authorities allowed victims to stay at support facilities for up to three months with a meal stipend and medical assistance. The government, in partnership with NGOs, operated four dedicated trafficking shelters for women and children. The government reported officials placed men referred to trafficking shelters in separate accommodations. Adult victims could leave the facility or shelter unchaperoned at any time, and officials appointed a guardian for child victims. The government provided Vietnamese victims with support services that included essential needs and travel expenses, medical support, psychological support, legal aid, cultural learning and vocational training, and financial assistance.
- ‘... The government provided legal aid to 41 victims, compared with 34 victims in 2021. The government referred 54 victims to NGOs for services (not reported in 2021). An NGO noted the government increased collaboration with NGO representatives to provide legal assistance and victim support. NGOs reported the government lacked adequately trained or experienced social workers to provide appropriate support to trafficking victims, and observers reported front-line workers, judges, teachers, and medical professionals were poorly trained to address child protection issues, including human trafficking. The government, in partnership with an NGO, provided training on trafficking victim support services to border province

⁶⁹ UK Home Office, ‘[HO FFM report](#)’ (annex D- NGO), September 2019

⁷⁰ DFAT, ‘[Country Information Report Vietnam](#)’ (para 3.89), 11 January 2022

front-line workers. In March 2023, the Ministry of Health ordered all provincial health departments and health care service providers to include anti-trafficking efforts in their operations.

‘... Observers reported many labor trafficking victims did not fully understand their rights and how to access support services, hindering timely identification and access to legal assistance and other protection services. In addition, observers reported some migrant workers returned without formal victim status certification and therefore lacked support and timely legal assistance. Observers reported concern the government did not have minimum quality standards for protection services administered by service providers.’⁷¹

11.1.5 The 2023 ODI report stated:

‘If a victim returns on their own, referred to as ‘self-return’, and does not report to the police, there is no formal identification of their status, on which government support depends. As a result, few victims receive support from the government on their return. Additional assistance is available from NGOs, but because this was initially designed to support women and children, whereas victims of labour exploitation are primarily men, specific support for labour trafficking, and particularly support to male victims, is still limited. Loss of livelihoods because of trauma and lack of support can lead to repeat migration, despite the risks, as there is still a need to earn an income.’⁷²

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11.2 Social support

11.2.1 According to Trading Economics the average monthly wage in the first quarter of 2023 was 7,000,000 Vietnamese Dong (VND) a month (approx. £228⁷³)⁷⁴.

11.2.2 ASEAN’s undated document on the ‘Social Security Schemes of ASSA Member Countries’ noted that the social security scheme in Vietnam: ‘... provides for the payment of retirement, disability and survivors pensions, together with sickness benefits, maternity benefits and employment injury, funded by contributions from employers.’⁷⁵

11.2.3 East Asia Forum noted in an article from February 2023 that: ‘Under Vietnam’s social insurance law, formally employed workers are entitled to access the compulsory social insurance scheme. Both employers and employees must contribute to employees’ insurance premiums, which pay for pensions and other benefits such as maternity leave. Employees who withdraw their social insurance premiums early might go without the pension or the accompanying free public health insurance in their retirement.’⁷⁶

⁷¹ USSD, [‘2023 Trafficking in persons Report: Vietnam’](#), 15 June 2023

⁷² ODI, [‘Labour migrants’ vulnerability ... An analysis of Vietnam’](#) (page 44), 30 July 2023

⁷³ XE Currency Converter [‘7,000,000 VND to GBP’](#), 21 June 2023

⁷⁴ Trading Economics, [‘Vietnam Average Monthly Wages’](#), undated

⁷⁵ ASEAN, [‘Social Security Schemes of ASSA Member Countries’](#) (page 99), no date

⁷⁶ East Asia Forum, [‘Vietnam’s social insurance dilemma’](#), 2 February 2023

11.2.4 Workers who are in fixed and long-term contracts are obliged to participate in Unemployment Insurance (UI). If they become unemployed, they are entitled to a monthly allowance equal to 60% of their average monthly wage of the preceding 6 consecutive months of employment. Unemployment allowance is dependent on a person's contribution to UI and can be claimed for a maximum of 12 months. Those claiming unemployment allowance are entitled to health insurance benefits⁷⁷.

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11.3 NGO support and services

11.3.1 Diplomatic sources told the UK Home Office FFT that: 'There are lots of different NGOs based in Vietnam doing training and assisting victims. In Vietnam it is necessary to obtain permission from the authorities to undertake any such activities.'⁷⁸

11.3.2 Hagar International told the UK Home Office FFT that they: '... mainly work with women and children, we sometimes receive trafficking cases who are Vietnamese men based in the UK. Our role in providing support for trafficking victims in the UK is mainly providing counselling and psycho-social support, while they are in the UK, and/or before they come home. [This additional information was provided after the meeting: If requested we will support them in their return to Vietnam from the UK.]'⁷⁹

11.3.3 IOM told the UK HO FFT that:

'IOM Vietnam predominantly provides financial support to returnees which is based upon the returnee providing a plan that details what they need and how they will use it for their sustainable reintegration. IOM Vietnam also arrange for the purchase of resources (such as livestock or a motor bike) to support the returnee in getting back up on their feet. IOM Vietnam also conducts follow up assessments to verify the use and impact of the support.'⁸⁰

11.3.4 The 2023 ODI report stated:

'There has been an increase in support services provided by nongovernment or quasi-governmental organisations, although as with the legislation, many of these organisations were formed to respond to sex trafficking. While they have expanded to accommodate a wider focus on trafficking, to include labour trafficking, the focus is still mostly on women and children, with very limited support for men.

'... Vietnamese NGOs provide significant support to victims of trafficking and engage in preventive work. However, only a few are licensed to work on counter-trafficking in Vietnam and their remits are strictly regulated. NGOs focused on human trafficking tend to be limited to providing services and working in partnership with the government.'⁸¹

⁷⁷ ASEAN, '[Vietnam- Vietnam Social Security](#)', no date

⁷⁸ UK Home Office, '[HO FFM report](#)' (annex D- Diplomatic sources), September 2019

⁷⁹ UK Home Office, '[HO FFM report](#)' (annex D- Hagar International), September 2019

⁸⁰ UK Home Office, '[HO FFM report](#)' (annex D- Representatives from IOM), September 2019

⁸¹ ODI, '[Labour migrants' vulnerability ... An analysis of Vietnam](#)' (pages 9 and 25), 30 July 2023

11.3.5 Further information on the NGO support and services available to victims of trafficking can be found at the following:

- Peace House. Peace House is in Hanoi and is managed by the Centre for Women and Development. They mainly help children and women who are affected by domestic violence or are victims of people trafficking. They can provide shelter⁸².
- Pacific Links Foundation is an international NGO who invest ‘...in at-risk youth to prevent trafficking and help trafficking survivors to build new lives’⁸³
- Hagar Vietnam is an international NGO in Vietnam which aims to support women and children affected by trauma particularly from domestic violence and trafficking⁸⁴.
- Alliance Anti-Traffic, is a non-profit, non-partisan and non-religious organization that aims to protect women and children in Southeast Asia from sexual exploitation and trafficking.⁸⁵
- Blue Dragon, helps children in crisis throughout Vietnam, including those who have been the victims of trafficking⁸⁶.

11.3.6 The following NGOs/charities provided elements of welfare support and services. This list is not exhaustive:

- Maison Chance Association ‘Maison Chance operates in Vietnam to provide help to the very poor, underprivileged children and severely disabled. It also supports other charitable organizations having the same missions and those who are lacking the necessary resources.’⁸⁷
- Adventist Development & Relief Agency (ADRA) Vietnam ‘ADRA in Vietnam works with vulnerable communities and people in special needs, so to help improve their opportunities and quality of life.’⁸⁸
- Hue Help Provide shelter for children without parents or children whose parents are unable to care for them⁸⁹.
- Challenge Mission in Asia (CMI Asia) ‘...support and assist orphaned and abandoned children, adolescent and adult singles, and families. ...we assist with housing, finance and equipping for employment.’⁹⁰

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section updated: 22 November 2023

12. Reintegration

12.1 Social stigma of trafficking victims

⁸² CWD, ‘[Peace House](#)’, undated

⁸³ Pacific Links, ‘[Counter-Trafficking](#)’, undated

⁸⁴ Hagar Vietnam, ‘[where we work- Vietnam](#)’, undated

⁸⁵ Alliance Anti-Traffic, ‘[About-Us – Alliance Anti-Traffic](#)’, undated

⁸⁶ Blue Dragon, ‘[Our Work at Blue Dragon](#)’, undated

⁸⁷ Maison Chance Association ‘[FAQ](#)’, no date

⁸⁸ ADRA ‘[About Us](#)’, no date

⁸⁹ Hue Help ‘[Hue Children's Shelter](#)’ no date

⁹⁰ CMI Asia ‘[Challenge Mission in Asia](#)’, no date

12.1.1 When asked about the challenges faced by victims of trafficking Hagar International told the UK HO FFT that:

‘They do face stigma, not only for trafficking victims but also domestic violence there is a victim blaming culture. Normally people say it is the victim’s fault. The second challenge is services- they rarely have access to services. The third one is the trauma and the way it affects how they function. Many family members and community members don’t understand once they come back. The fourth is when they come back they need a job and to take care of themselves its not very easy in the community. In the beginning they come from a very poor community and there are not many opportunities to get a job or make a business.

‘Some cases that return back to Vietnam after many years of being trafficked, they have a challenge as they are past school age so returning to school is difficult and getting them a job is also difficult.

‘Many women when they come back they find their husband have another wife and their children have forgotten them, they refused/rejected by their husband.

‘Getting identity papers can be difficult if they have been away for a number of years. The local authority can remove you from local registration if you go missing for a number of years.’⁹¹

12.1.2 IOM told the UK HO FFT that: ‘The degree of reintegration varies on a case by case basis. We have noted that returnees feel a sense of failure and shame for having not succeeded in working (because they are apprehended by the authorities) and have therefore not met their family’s expectations for returning substantial remittances.’⁹²

12.1.3 The IOM report ‘Vulnerabilities and risks of exploitation encountered by Vietnamese migrant workers- a qualitative study of returnees’ labour migration experiences’, published in 2021 noted that:

‘Migrant workers had mixed feelings about returning home and most suffered some form of culture shock upon return, around customs and social norms. Some migrant workers also reported a perceived better quality of life available abroad and lamented the lack of opportunities available at home, particularly the higher salaries. Equally, however, some returnees were excited about the future with the earnings from abroad to realize long-held ambitions, such as building a house or starting a business.

‘Reintegration was facilitated by the positive reception migrant workers received from their families upon return. In the vast majority of cases, remittances had been put to good use, such as building a new house, buying land, building family savings accounts or generally boosting the family budget. Migrant workers also received a positive reception from the wider community and were generally perceived as wealthy, successful and knowledgeable about the migration process. Returnees were frequently asked for information about recruitment and life abroad and were viewed as

⁹¹ UK Home Office, ‘[HO FFM report](#)’ (annex D- Hagar International), September 2019

⁹² UK Home Office, ‘[HO FFM report](#)’ (annex D- Representatives from IOM), September 2019

important figures in the community. As such, they often referred potential migrant workers to recruitment centres and other migration resources.

‘However, women migrant workers faced different challenges from males, with respondents noting that some women were viewed as having abandoned their families. A dearth of formal reintegration support from the government or other stakeholders, with no correspondence from DoLISA [Department of Labour, Invalids and Social Affairs] or State departments offering support, was reported by returnees.’⁹³

12.1.4 The 2022 DFAT report noted that:

‘There is a stigma related to trafficking and victims might not self-identify, instead attempting to integrate unnoticed into their former or new communities.

‘... Returnees, including... trafficking victims, typically face a range of difficulties upon return. These include unemployment or underemployment, and challenges accessing social services, particularly in cases where household registration has ceased. In addition, trafficking victims face social stigma and discrimination, and may experience difficulty in accessing appropriate trauma counselling services outside of large cities...’⁹⁴

12.1.5 The 2023 ODI report stated:

‘On return to Vietnam, migrant workers remain vulnerable. Even if they are victims of trafficking and are ‘rescued’ and returned, there is limited government support. In addition, there are challenges for law enforcement to investigate cases of labour trafficking, such as unclear legal provisions on forced labour and human trafficking and obtaining evidence of exploitation from the destination country. It takes a long time to obtain government support as returnees or migrants need to be formally identified as victims, which is a complicated process.

‘... Loss of livelihoods because of trauma and lack of support can lead to repeat migration, despite the risks, as there is still a need to earn an income.

‘... [T]here is an element of pride, particularly for men who have been exploited, where they will downplay the negatives to present themselves as successful and able to provide for their family. Moreover, because migrant workers want to seek employment abroad, and may have gone into debt to finance their travel, they are less likely to complain.’⁹⁵

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12.2 Prevalence of re-trafficking

12.2.1 When asked whether they were aware of any cases where people had been re-trafficked Hagar International told the UK HO FFT that: ‘We have not seen any cases. We know cases where they have come back from China, they then go back to China for work opportunities, but we make sure they are aware of safe work and we continue to support them while in China.’⁹⁶

⁹³ IOM, ‘[Vulnerabilities and Risks of Exploitation Encountered by Vietnamese ...](#)’, (page 43), 2021

⁹⁴ DFAT, ‘[Country Information Report Vietnam](#)’ (para 3.90 & 5.32), 11 January 2022

⁹⁵ ODI, ‘[Labour migrants’ vulnerability ... An analysis of Vietnam](#)’, (page 43 and 44), 30 July 2023

⁹⁶ UK Home Office, ‘[HO FFM report](#)’ (annex D- Hagar International), September 2019

- 12.2.2 The UK HO FFT asked representatives from IOM if they were aware of people being re-trafficked, they noted that: 'In the case of Vietnamese males travelling to the UK, we are not aware of cases of people being re-trafficked.'⁹⁷
- 12.2.3 The Asylors and ARC Foundation report 'Vietnam: Returned victims of trafficking' in an interview with Hoa Nguyen, a trafficking specialist, when asked about numbers of re-trafficking cases stated that: 'I don't see statistics in re-trafficking. Very few reports talking about this. Myself I have seen some cases of re-trafficking. ... I am sure the number is huge, and reintegration there is a huge stigma and poor capacity of reintegration. Hard for people to access services and easy for people to be re-trafficked again.'⁹⁸ The source did not provide any evidence to show that the number of re-trafficking victims is huge and the interviewers did not seek to clarify this assertion further.
- 12.2.4 The Asylors and ARC Foundation report 'Vietnam: Returned victims of trafficking' in an interview Hoa Nguyen stated: 'When victims go home they often don't go through the government system and then they get re-trafficked. Some cases we know are re-trafficked straight away when they get back to the airport in Vietnam or back to their families. Protection is loose and not strong. Many victims become traffickers and they come back and bring more victims for the traffickers'⁹⁹. The source did not give any indication as to how many cases of re-trafficking they are referring to.
- 12.2.5 The same report also interviewed a representative of an International NGO, they stated that:
- 'In my time working in X we don't have any re-trafficking victims. We can see some cases when they come back to Vietnam and their families still have a debt and they don't have no home to stay in, they have nothing. At that time they only think about going back to the place where they were trafficked. I can see that in some cases. I think the economy decides, if they have no money, if they have money they could start something in Vietnam, but if they have no money they don't want to stay.'¹⁰⁰
- 12.2.6 The Asylors and ARC report also interviewed Hong Thi Tran, a trafficking researcher, and asked about the number of re-trafficking cases they stated that: 'We don't have numbers, actually. There's a huge gap in data I mean, the government reports very few cases...'¹⁰¹
- 12.2.7 The same report also interviewed Debbie Beadle from Every Child Protected Against Trafficking UK (ECPAT UK) and when asked about the number of re-trafficked cases they stated: '.... I haven't got actual numbers because it's not really recorded. There is a real risk of re trafficking because they-- as in many of these cases, have got a debt to pay...'¹⁰²
- 12.2.8 The Independent Anti-Slavery Commissioner report 'Re-trafficking: The current state of play' published in November 2021 collected data related to

⁹⁷ UK Home Office, '[HO FFM report](#)' (annex D- Representatives from IOM), September 2019

⁹⁸ Asylors and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 165), 6 May 2020

⁹⁹ Asylors and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 152), 6 May 2020

¹⁰⁰ Asylors and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 175), 6 May 2020

¹⁰¹ Asylors and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 196), 6 May 2020

¹⁰² Asylors and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 205), 6 May 2020

re-trafficking cases within the UK. The report is partly based on 20 survey responses received from various organisations and individuals. According to the report the: ‘... survey was completed by academics, independent consultants, partnership co-ordinators, policy managers, service managers providing direct support to survivors and survivors.’¹⁰³ Using their experience respondents to the survey commented on nationalities they had encountered being re-trafficked. The report noted that Vietnamese nationals had been subject to re-trafficking. However, the report did not give further details on the number of cases this related to. Prevalence data mentioned elsewhere in the report, based on figures provided by the Modern Slavery and Exploitation Helpline, indicated that between May 2017 and June 2021 7,027 cases in the UK were classified as modern slavery situations. Of these 7,027 there were 25 cases where there were concerns that a potential victim was being re-trafficked. The report does not give any further details on the nationalities of these cases¹⁰⁴.

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12.3 Re-trafficking risk factors

12.3.1 The 2019 report ‘Precarious Journeys’ noted ‘If victims have spoken to the police and/or still owe a debt to their traffickers, they are likely to be at risk of re-trafficking or reprisals from their traffickers and/or the Vietnamese authorities. There is limited support available in Vietnam for returned victims, leaving them at risk of being re-trafficked or even becoming a trafficker themselves.’¹⁰⁵

12.3.2 In the Asylos and ARC Foundation report on returned victims of trafficking in Vietnam, Hoa Nguyen, a trafficking specialist, when asked about the factors that make someone vulnerable to being re-trafficked, stated factors included: ‘Lack of Information and awareness, lack of education, their recovery.’¹⁰⁶

12.3.3 Bernie Gravett, an Anti-Trafficking Expert Specialist Policing Consultancy, when asked about the factors that make a victim of trafficking vulnerable to being re-trafficked on return, for the Asylos and ARC report on trafficking, noted: ‘... the reality is all the same conditions exist that made them be a victim in the first place. Unless they've been here for a while, unless they've been given access to a level of education that would enable them to survive better.’¹⁰⁷

12.3.4 When asked about the risk of re-trafficking if a victim of trafficking is not automatically recognised by the Vietnamese authorities, the same interlocutor stated:

‘If they're carrying a debt, and the majority are. They are carrying the debt of that 20,000 US dollars to come to the UK, then that debt still exists. And the Black society, or their traffickers, will hunt them down and they've still got to pay off that debt. So how do they do that? They still haven't got a farm. They still are struggling to get housing. They can't access work because you can't

¹⁰³ IASC, [‘Re-trafficking: The current state of play’](#) (page 8), November 2021

¹⁰⁴ IASC, [‘Re-trafficking: The current state of play’](#) (page 14) November 2021

¹⁰⁵ ECPAT UK et al, [‘Precarious Journeys- Mapping vulnerabilities of victims of ...’](#) (page 12), 2019

¹⁰⁶ Asylos and ARC Foundation, [‘Vietnam: Returned victims of trafficking...’](#) (page 166), 6 May 2020

¹⁰⁷ Asylos and ARC Foundation, [‘Vietnam: Returned victims of trafficking...’](#) (page 183), 6 May 2020

get work without a national identity card. So they're ripe for being re-trafficked.¹⁰⁸

12.3.5 The Asylos and ARC report interviewed Hong Thi Tran, a trafficking researcher, when talking about the factors that increase the risk of re-trafficking noted that: '... But the risk of re-trafficking is quite prevalent when a victim returns and can't receive or is unable to receive the support and end up facing a lot of mostly, economic difficulties. Upon return, VoTs usually feel low self-esteem, due to shortage of economic, financial, family support... They are therefore very vulnerable for any fraudulent promises to help. And discrimination, of course, is one of the sources that puts the victim into isolation and they're unable to receive the support.'¹⁰⁹

12.3.6 Debbie Beadle from ECPAT UK when asked, for the Asylos and ARC report on trafficking, about the factors that increase someone's vulnerability to being re-trafficked stated:

'... the debt is a big, big one. The limited freedoms that they have in terms of travel and not being able to go to another province. We talked about the stigma did mean that actually could prevent them from potentially getting employment or reintegrating into a community. But I would also say just this pressure, from what we identify from people, to go abroad to earn money to send back home. I think the pressure is really real, and quite strong, and that's why people will continue to try and move. And so it'd be easy to be vulnerable to someone offering them an opportunity in another country.'¹¹⁰

12.3.7 When asked about what might happen if a return victim of trafficking had unpaid debts to their traffickers, the same interlocutor opined:

'...I think obviously the main risk is risk of re-trafficking and the exploitation, and they will have to pay off that debt, or their family will have to. So I think what we've identified is that there is a little pressure from their family as well to pay off that debt. So if they went back to family, that would be something of concern and shame if they hadn't paid off the debt. So I think it's worse for people in Vietnam, this is one of the strongest risks because most of them have a debt that they have to pay off.'¹¹¹

12.3.8 The 2022 DFAT report noted that:

'Many returnees have high levels of debt from funding their travel out of Vietnam. Sources in Vietnam have reported cases of moneylenders taking borrowers' houses or land as repayment, or borrowers having to flee loan sharks when they are unable to repay their loans. Sources told DFAT that indebtedness is reportedly lower among people living in irregular migration hotspots (such as Nghe An and Ha Tinh provinces), as low or no-interest loans are generally organised within the community. Those who travel from outside of these provinces typically have fewer connections and thus tend to borrow from external lending groups who generally demand high interest rates.'¹¹²

¹⁰⁸ Asylos and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 181), 6 May 2020

¹⁰⁹ Asylos and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 196), 6 May 2020

¹¹⁰ Asylos and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 206), 6 May 2020

¹¹¹ Asylos and ARC Foundation, '[Vietnam: Returned victims of trafficking...](#)' (page 207), 6 May 2020

¹¹² DFAT, '[Country Information Report Vietnam](#)' (para 5.33), 11 January 2022

13. Position of women

13.1 Position in society

13.1.1 The Vietnam Human Rights Network (VHRN), a non-profit NGO in their 2022 publication noted:

‘Vietnam’s Constitution... expressly states that “all citizens are equal before the law” and that “no one shall be discriminated against based on his or her political, civic, economic, cultural or social life” (Article 16). Vietnam also participated ... the International Convention on the Elimination of All Forms of Discrimination against Women (in 1982)... However, in reality, the situation of discrimination and unequal treatment did not improve in 2021-2022, especially on the issue of discrimination against [amongst others]... women.’¹¹³

13.1.2 The UN Gender Inequality Index, which measures inequality in achievement between women and men in reproductive health, empowerment and the labour market, published in the UN Human Development report 2021/22 recorded Vietnam in 71st place (out of 177 countries) in the ‘High Human Development’ group of countries¹¹⁴.

13.1.3 The 2022 DFAT report noted that:

‘The International Labour Organization notes on its website that women form the majority of the working poor (particularly among the informal sector), earn less income and have fewer economic, employment and education resources than do men. In-country experts told DFAT there is a large gender pay gap that is made worse and more difficult to track because so many women work in the informal sector...

‘Traditional views about family disadvantage women. Son preference continues... these preferences are lessening (but are still present) and women can now legally inherit assets.’¹¹⁵

13.2 Women living alone

13.2.1 In April 2020 Decision 588/QD-TTg was signed by the then Prime Minister Nguyen Xuan Phuc. This decision was implemented to address the falling birth rate and encouraged people to get married before they are 30 and have children early, preferably before 35¹¹⁶. According to Global Observer, who reported on Decision 588/QD-TTg:

‘Benefits for couples with two children include income tax reductions, priority admissions for their children in public schools, and support in renting or buying subsidized housing. Those who do not want to marry or who marry too late would have “increased responsibility to contribute to society and the

¹¹³ VHRN, ‘[Report on Human Rights in Vietnam 2021-2022](#)’ (section VII), 17 June 2022

¹¹⁴ UNDP, ‘[UNDP report 2021/2022](#)’ (pages 295, 292), 2022

¹¹⁵ DFAT, ‘[Country Information Report Vietnam](#)’ (para 3.75), 11 January 2022

¹¹⁶ Vietnam Law Magazine, ‘[Youngsters encouraged to marry by 30 and have two...](#)’, 5 June 2020

community,” most likely in the form of higher taxes. The government has yet to detail how this plan will be implemented but said that the policy only applies in areas of low fertility — mostly urban areas — not nationwide.¹¹⁷

13.2.2 The 2022 DFAT report noted that

‘Vietnamese culture emphasises traditional family values, but some women, particularly those of higher education and means, may choose to be single. It is possible to get a document from a local authority that declares that a person is single, similar to a marriage certificate, and there are no legal barriers to being a single female-headed household.

‘In practice, women who are single come under what in-country sources call ‘intense pressure’ to marry. One source described being single as ‘odd’. The SBS Cultural Atlas notes that family support is so central to Vietnamese culture that the idea of living alone or without family can be ‘intimidating’. This pressure is likely to be from families but may also be on a societal or community level. In country-sources told DFAT that many women are ‘afraid’ of being divorced due to societal and cultural factors.

‘Divorce is possible but stigmatised. In-country sources told DFAT that this stigma is changing for younger people, who are more open to divorce, but DFAT assesses that the stigma is strong for most Vietnamese women. That stigma can result in family pressure and shame, but can also have economic consequences. Suitable rental accommodation may be unaffordable or not exist, particularly in rural areas because of the assumption that couples will buy property or live with their parents and in-laws.

‘Poor single women may receive assistance from the authorities, for example assistance with bills or living expenses. These services may be limited by factors that limit all social welfare programs; for example, women who work in the informal sector may not receive unemployment insurance and those who are internal migrants may have difficulty accessing services where their household registration is not in the place where they live.’¹¹⁸

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section updated: 22 November 2023

14. Freedom of movement

14.1 Internal movement

14.1.1 Vietnam has a total land area of 310,070 sq km with a population of over 104 million, one of the highest population densities in the world. The Mekong Delta in the south and the Red River Valley in the north have the largest concentrations of people¹¹⁹. Ho Chi Minh City is the largest city in Vietnam¹²⁰ with a population of around 8,244,400 people and Ha Noi is the second largest with a population of close to 7,379,300 people¹²¹.

¹¹⁷ Global Observer, ‘[Vietnam, worried about its birth rate, pushes women to marry...](#)’, 16 July 2020

¹¹⁸ DFAT, ‘[Country Information Report Vietnam](#)’ (para 3.82- 85), 11 January 2022

¹¹⁹ CIA, ‘[World Factbook- Vietnam](#)’, last updated 15 November 2023

¹²⁰ Encyclopaedia Britannica, ‘[Ho Chi Minh City](#)’, 9 October 2023

¹²¹ World Atlas, ‘[Biggest Cities in Vietnam](#)’, no date

- 14.1.2 The 2022 DFAT report noted that: ‘Internal relocation is common. Police keep close watch over relocation and citizens staying even one night away from their homes must register with local police.’¹²²
- 14.1.3 Freedom House noted in their Freedom in the World report 2023 that: ‘Freedom of movement is nominally protected by law. Residency rules limit access to services for those who migrate within the country without permission, though this system is not consistently enforced.’¹²³
- 14.1.4 The US State Department’s 2022 Country Reports on Human Rights Practices noted that: ‘The Citizens (or their hosts) must register with local police when staying overnight in any location outside their own homes.... Authorities did not strictly enforce residency laws for the general population, and migration from rural areas to cities continued unabated. Moving without permission, however, hampered persons from accessing public education, health care, and other government services.’¹²⁴
- 14.1.5 See also [Ho Khau registration](#).

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14.2 Exit and Entry

- 14.2.1 The 2022 DFAT report noted that:

‘Article 23 of the Constitution allows citizens to ‘freely travel abroad and return home from abroad in accordance with the provisions of the law’.

‘... In-country sources report that all individuals involved in people smuggling operations, whether as organisers or travellers, are typically held by authorities for questioning to determine their involvement in operations. Sources have described cases where people have been detained for multiple days or recalled for further questioning. DFAT understands that would-be migrants who have employed the services of people smugglers at worst only face an administrative fine, including in cases of multiple illegal departures.’¹²⁵

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14.3 Ho Khau registration

- 14.3.1 The 2022 DFAT report noted that:

‘Residents’ homes need to be registered with a document known as a hộ khẩu, or household registration book. In practice, police do not strictly enforce laws regarding residence to the extent that it would prevent internal relocation, particularly from rural to urban areas as part of Vietnam’s recent rapid urbanisation. With urbanisation have come slums, particularly in large cities, as former rural residents have moved in search of work. DFAT is not aware of other cases where registration is refused; such refusal is unlikely.

‘There are two categories of registration (reduced from four under the previous law): temporary and permanent. Household registration requires

¹²² DFAT, ‘[Country Information Report Vietnam](#)’ (para 5.18), 11 January 2022

¹²³ Freedom House, ‘[Freedom in the World 2023](#)’, March 2023

¹²⁴ USSD, ‘[2022 Country Reports on Human Rights Practices: Vietnam](#)’, 20 March 2023

¹²⁵ DFAT, ‘[Country Information Report Vietnam](#)’ (para 5.25 & 5.30), 11 January 2022

citizens to register their permanent residence in only one district in Vietnam. To gain permanent residence status in a new district, citizens must either marry into a family already holding permanent residence, purchase land, or live in rental housing with an official lease and a minimum amount of liveable space.

'Large cities such as Hanoi and Ho Chi Minh City have previously enacted local legislation to prevent relocation. These regulations may change rapidly.

'... Hộ khẩu is household registration. DFAT understands that physical hộ khẩu books are no longer issued and have been replaced by information held in a national database that is linked to a person's [Citizen Identification Card] CIC. DFAT understands that, although the books are no longer issued, they are still in use by some. Hộ khẩu are not issued by Vietnamese embassies and consulates abroad but registration of residence is possible at police stations on arrival.'¹²⁶

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14.4 Citizen Identification Card (CIC)

14.4.1 The 2022 DFAT report stated that:

'Citizens are required to have a Citizen Identity Card (CIC). Cards have a nine or 12-digit number and may have a barcode or fingerprint. Twelve-digit numbers were introduced in 2012 and barcodes were added in 2016. They are being replaced progressively by chip-based cards, which contain information on 20 different fields including tax and insurance. This information is kept on a national database, which was launched in February 2021. Cards are issued at age 14 and renewed at ages 25, 40 and 60. CICs are not issued by Vietnamese embassies and consulates abroad. CICs have long periods before renewal is required; frequent trips back to Vietnam to obtain a new card are unnecessary.'¹²⁷

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¹²⁶ DFAT, '[Country Information Report Vietnam](#)' (para 5.19- 21 & 5.40), 11 January 2022

¹²⁷ DFAT, '[Country Information Report Vietnam](#)' (para 5.39), 11 January 2022

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal status
 - Legislation
 - Children
 - Law in practice
- Prevalence
- Profiles of victims of trafficking
 - Men and women
 - Children
 - Traffickers
- Action to combat trafficking
 - Protection
 - Shelters
 - Prosecution
 - Prevention
 - Prosecution
- Children
 - Support services
- Lone/single women
 - Legal status
 - Discrimination of lone/single women
- Single mothers
 - Life for single mothers
 - Support services for single mothers

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **5.0**
- valid from **5 December 2023**

Official – sensitive: Not for disclosure – Start of section

The information on this page has been removed as it is restricted for internal Home Office use.

Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

Updated country information

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Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

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The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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