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2024 Trafficking in Persons Report: Vietnam

VIETNAM (Tier 2)

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 demonstrated overall increasing efforts compared with the previous reporting period; therefore Vietnam was upgraded to Tier 2. These efforts included submitting a draft of the revised 2011 anti-trafficking law to the legislature for review; increasing investigations, prosecutions, and convictions for suspected trafficking crimes; identifying and assisting more trafficking victims; and repatriating and assisting 4,100 potential victims from online scam operations in neighboring countries. However, the government did not meet the minimum standards in several key areas. The government did not report proactively or consistently screening, identifying, or providing specialized services to labor or sex trafficking victims among returnees from online scam operations, including those directly repatriated by the government. For the second consecutive year, the government has not identified any foreign national trafficking victims. Authorities inspected thousands of the most at-risk establishments for sex trafficking but did not report formally identifying any victims, despite the government's reported arrest of a significant number of suspected sex traffickers at such sites. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; authorities also closed the investigation of a diplomat who allegedly directly facilitated the labor trafficking of several Vietnamese nationals in Saudi Arabia in 2021, citing a lack of evidence, and reinstated the diplomat at the Ministry of Labor, Invalids, and Social Affairs (MOLISA) Department of Overseas Labor after suspension and administrative punishments in 2022.

PRIORITIZED RECOMMENDATIONS:

Collaborate with NGOs and civil society to revise and approve anti-trafficking laws and amend the penal code to fully criminalize the sex trafficking of 16- and 17-year-old children consistent with international law. * Investigate and prosecute traffickers, including labor traffickers and complicit officials, and seek adequate penalties for convicted traffickers, which should involve significant prison terms. * Improve victim screening and interagency coordination to identify and assist victims among vulnerable groups, including migrant workers; individuals in commercial sex, including women and girls discovered during law enforcement actions and inspections of business establishments that facilitate commercial sex; child laborers; individuals fleeing online scam operations; People's Republic of China (PRC) nationals; and Cuban government-affiliated workers, including medical professionals. * In coordination with civil society and international partners, expand and institutionalize training for law enforcement, diplomats, social workers, the judiciary, and other first responders on proactive victim screening and identification guidelines, trauma-informed care, and other victim-centered approaches to working with victims of trafficking. * Eliminate all worker-paid recruitment fees and predatory recruitment practices for workers migrating abroad and to or within Vietnam; improve the worker complaint process and increase awareness of existing worker protections; strengthen efforts to monitor labor recruitment companies, third-party sub-brokers, and the protections outlined in migrant worker contracts; and strengthen efforts to hold labor recruiters civilly and criminally liable for fraudulent recruiting. * Allocate additional resources at the national, provincial, and local levels to implement the 2021-2025 NAP. * Continue to train officials on implementing guidelines for Articles 150 and 151 of the penal code, with a focus on identifying and investigating labor trafficking and internal trafficking cases, including those involving male victims. * Complete revisions to the NRM to accompany the expected passage of the revised anti-trafficking law that include provisions on roles and responsibilities and implementation plans at the national, provincial, and local levels. * Standardize and integrate comprehensive anti-trafficking statistics into a centralized database to accurately track and report the government's efforts and improve information sharing among relevant government agencies and external stakeholders. * Invite independent verification of the termination of forced labor in drug treatment centers and make the results of such verification public. * Screen any North Korean workers for signs of trafficking and refer them to appropriate services in a manner consistent with obligations under UN Security Council Resolution 2397.

PROSECUTION

The government slightly increased law enforcement efforts. 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) (\$824 to \$4,122). 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 (\$2,061 to \$8,244). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with other grave crimes, such as rape. 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 enforcement to handle trafficking cases involving 16- and 17-year-olds as child trafficking cases. Vietnam also maintained a broad 2011 anti-trafficking law that focused primarily on prevention and protection 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. In accordance with a six-step action plan developed in 2021, the government continued efforts to revise the 2011 anti-trafficking law to address deficiencies in the law. After releasing a draft version of the revised law for public comment, MPS submitted the draft to the National Assembly for review and consideration in an upcoming legislative session. However, observers reported the law still requires further edits and review, which may delay its passage beyond the initial schedule the government has outlined.

The government investigated 365 suspected traffickers in 147 cases in 2023, compared with 247 suspected traffickers in 90 cases in 2022. The government did not provide disaggregated sex or labor trafficking data and authorities did not provide sufficient information to determine if data involving unspecified forms of exploitation met the definition of trafficking according to international law; some of the data also likely included cases initiated in prior years. Prosecutors submitted 109 cases involving 288 alleged traffickers to be considered for prosecution in 2023, compared with 55 cases involving 163 alleged traffickers submitted in 2022. Of these, the Supreme People's Procuracy (SPP) accepted 100 cases involving 238 alleged traffickers for prosecution, including 57 cases under Article 150 and 43 cases under Article 151; compared with 54 cases – 29 and 25, respectively – involving 157 alleged traffickers in 2022. Courts accepted 117 cases involving 341 alleged traffickers for full prosecution but only initiated proceedings in 77 cases involving 198 defendants, compared with accepting 69 cases involving 155 alleged traffickers and initiating

proceedings in 53 cases involving 121 defendants in 2022. Among the 198 defendants, courts tried 85 under Article 150 and 113 under Article 151. Courts convicted all 198 defendants, compared with 121 traffickers convicted in 2022. Sentences for convicted traffickers ranged from a suspended sentence to life imprisonment.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, there remain significant concerns about the government's handling of a case first reported in 2021. 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. The government reprimanded and investigated the two officials for potential trafficking crimes in 2022; at an unspecified time during the current reporting period, the government ended the investigation against the labor attaché with no charges, citing a lack of evidence, and reinstated him at MOLISA in the Department of Overseas Labor. The government reported it had ended the investigation against the other diplomat at an unspecified time in 2022. Although authorities previously imposed administrative penalties on some of the entities involved in the initial fraudulent recruitment or transportation of the victims to Saudi Arabia, but reported the alleged facilitation of labor trafficking did not rise to the level of criminal conduct. Authorities did not vigorously prosecute other claims of labor trafficking in state-licensed labor export companies.

The MPS led the government's investigative efforts, and the SPP led the government's prosecution efforts. Some officials and observers reported difficulty investigating and prosecuting cases related to online scam operations in Cambodia involving Vietnamese victims due to a lack of evidence and cooperation from Cambodian authorities; therefore, prosecutors often used other laws, including migrant smuggling, to prosecute trafficking crimes. The government coordinated with officials from the PRC to arrest and extradite one alleged trafficker. The government worked with foreign governments by engaging in anti-trafficking dialogues, sharing information, conducting trainings, cooperating on trafficking investigations – including with several Lower Mekong countries – and signing a cooperation agreement on combating trafficking with a foreign government. In the past, police noted the extraction, storage, and analysis of digital evidence, combined with ambiguities surrounding its permissibility in court proceedings, hindered the government's ability to combat Internet-facilitated trafficking crimes. Authorities reported difficulties prosecuting and adjudicating trafficking cases in border provinces due to limited capacity in rural areas. Authorities reported investigations and prosecutions of potential trafficking allegations were sometimes hindered by insufficient cooperation with neighboring countries and authorities' difficulty in adapting to changing victim profiles linked to labor trafficking in online

scam operations. Officials reported frontline border guards' limited capacity and lack of experience in identifying trafficking crimes hindered prosecution efforts. To address these gaps, the government, in partnership with international organizations, NGOs, and foreign governments, provided anti-trafficking training to law enforcement officers, border guards, prosecutors, judges, provincial and district level officials, and other front-line workers. In 2023, the Supreme People's Court, in conjunction with foreign donors, established two trafficking case precedents, a legal tool by which the court can provide guidance on complex issues for reference in future prosecutions; these precedents related to domestic labor trafficking of male victims and cases involving forced marriage with potential indicators of sex or labor trafficking. MPS reportedly took steps to monitor traffickers' online efforts to recruit and exploit victims.

PROTECTION

The government demonstrated slightly increased efforts to protect victims. The government identified 311 victims – 195 females, 116 males, and 146 children – compared with identifying 255 victims – 102 females, 153 males, and 74 children – in 2022. All identified victims were Vietnamese, including 176 labor trafficking victims and 40 victims of “sexual exploitation,” compared with 195 victims exploited in labor trafficking and 14 victims of “sexual exploitation” in 2022, respectively; some of the victims of “sexual exploitation” reported each year may not have been trafficking victims according to the definition under international law. Despite widespread government, NGO, and international organization reporting of traffickers exploiting thousands of Vietnamese nationals in forced labor in online scam operations in Southeast Asia, the government did not report how many victims from such operations it identified. NGO reports indicate the government identified at least five victims from online scam operations; however, this represents a fraction of the total number of potential victims the government did not take steps to identify. Eighty victims were members of ethnic minority communities, compared with 89 victims in 2022. Ninety-five individuals were victims of unspecified forms of trafficking, which in prior years included “illegal marriage” and “illegal adoption,” neither of which were consistent with the definition of trafficking under international law, compared with 46 such individuals in 2022.

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. The government continued using survey forms, developed in partnership with an international organization, for border guards to screen Vietnamese adults and children for trafficking indicators at border crossings. However, authorities did not consistently or proactively use the COMMIT criteria or their own procedures to screen for trafficking indicators among key vulnerable populations in all regions, 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 online scam operations in neighboring countries. The victim identification process remained overly cumbersome and complex, requiring approval from multiple ministries before victims could be formally identified and assisted. Under the 2014 NRM, authorities required victims who were not directly rescued by Vietnamese law enforcement to file a formal declaration to initiate the interagency process to formally confirm their status as a trafficking victim and obtain access to additional services. The MOLISA Department of Social Vices Prevention continued to develop 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. The government reported further revising the screening toolkit; however, for the second year, officials had not finalized the toolkit by the end of the reporting period.

A lack of capacity, personnel, and resources likely hindered law enforcement, border guard, and other officials' ability to consistently and proactively screen for trafficking victims. 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. Authorities did not report formally identifying any victims during the more than 28,500 inspections conducted at establishments at high risk of sex trafficking, compared with more than 32,000 inspections and identifying two sex trafficking victims in 2022. State-run media reported on multiple law enforcement actions against high-risk establishments during which authorities arrested numerous suspected sex traffickers and reportedly rescued victims; however, the government did not report on the status of the potential victims, nor whether authorities screened them for trafficking indicators, identified them as trafficking victims, or provided these potential victims with services. 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. According to one observer, authorities reportedly threatened and harassed survivors of labor trafficking in labor export companies, and their families, to intimidate them from sharing their experiences.

Authorities repatriated more than 4,100 Vietnamese nationals exploited in online scam operations in Burma, Cambodia, Laos, and the Philippines since mid-2022; in December 2023, the government chartered a series of flights from Burma to Vietnam to repatriate nearly 1,400 Vietnamese citizens and several third country nationals. Widespread reports indicated the majority of individuals recruited for these operations faced conditions

indicative of labor trafficking; however, officials did not report how many, if any, of these potential victims were formally identified, while NGO reports indicated five of the 4,100 potential victims were formally identified. Authorities provided emergency medical care for many potential victims and MPS and MOLISA coordinated with each individual's home provinces when conducting repatriations. However, authorities did not make consistent efforts to screen or identify potential victims exploited in online scam operations abroad or domestically as trafficking victims or provide them with specialized or long-term services, including foreign nationals identified in Vietnam. A small portion of returnees reportedly accessed government or NGO support services. Due to the government's cumbersome victim identification process, which exacerbated economic hardship for survivors and their families, and fears of reprisal and punishment by local authorities for unlawful acts committed as a direct result of being trafficked, many Vietnamese victims chose not to initiate the formal identification process – which left them without access to most protection services. Although there were no reports of penalization of returnees during the reporting period, in prior years, observers reported authorities routinely penalized victims exploited in online scam operations for immigration offenses committed as a direct result of being trafficked. NGOs reported Vietnamese diplomatic personnel stationed abroad lacked an understanding of forced labor in online scam operations and did not have adequate resources to identify victims or effectively assist citizens. NGOs noted some provinces' hesitancy to identify individuals returning from Cambodia or overseas as trafficking victims may have been because funding for support services came directly from provincial budgets rather than a central fund, which created a conflict of interest for provinces with limited resources.

Authorities assisted 311 victims, including 116 males and 195 females, of whom an unreported number were members of ethnic minority groups; this compared with assisting 252 victims, including 142 males and 110 females, 105 of whom were members of ethnic minority groups in 2022. For the second consecutive year, the government did not identify or assist any foreign national victims. Foreign victims, if identified by the government, were eligible to access essential needs and travel expenses, medical support, psychological support, and legal aid, but were excluded from accessing other long-term support such as support for study, vocational training, or an initial financial allowance. 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 formally identified 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. Victims who did not meet a minimum poverty threshold were excluded from some support services, including tuition exemption and financial assistance. Observers noted the quality of care provided to trafficking victims varied widely depending on geography, a victim's circumstance, and the strength of local civil society; NGOs reported the support victims received was often inadequate, especially in remote and poorer provinces where local governments provided the initial support budget. 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, which made it difficult for authorities to verify and facilitate access to support and legal assistance. Observers reported concern the government did not have minimum quality standards for protection services administered by service providers. The government finalized standard cost norms for victim support services to address this but had not implemented these cost norms by the end of the reporting period. Systemic delays in the government's approval of licenses and operations challenged NGOs working in Vietnam, including those working on anti-trafficking activities. 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 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. While awaiting legal reform to revise and finalize the 2014 NRM, the government continued efforts to improve interagency coordination first initiated in 2022. In July 2022, 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; during the reporting period, 17 additional provinces completed frameworks, bringing the total number of provinces who have completed these frameworks to 44. In response to local officials' concern that some provincial frameworks lacked specific measures to combat challenges unique to a province, MOLISA initiated a national impact assessment of these frameworks to improve local implementation in October 2023; the government had not concluded this assessment by the end of the reporting period.

Authorities from the Ministry of Foreign Affairs (MFA) repatriated 13 Vietnamese trafficking victims in 2023 – including two from the PRC and 11 from Laos – compared with repatriating 30 victims in 2022. This number does not include those returned from online scam operations in the region who were not formally identified as trafficking victims. In the past, an NGO reported concern the government did not immediately recognize Vietnamese trafficking victims identified by foreign governments except for those identified by the PRC or Cambodia. Observers reported that, in past years, a lack of jurisdictional clarity between MFA and MOLISA in repatriating and supporting overseas trafficking victims may have delayed victim return and assistance. The MFA continued using SOPs for diplomats to support overseas Vietnamese women who were victims of violence, including trafficking. The government maintained labor representatives at diplomatic missions in countries that hosted large numbers of documented Vietnamese migrant workers, such as Japan, Malaysia, Saudi Arabia, the Republic of Korea (ROK), Taiwan, and the United Arab Emirates. These missions could provide basic provisions, transportation, and health care to Vietnamese trafficking victims abroad. The government reported it maintained emergency hotlines for citizen protection, including for reporting trafficking and exploitation, at overseas diplomatic missions; however, observers reported most of these hotlines were non-functioning and failed to support trafficking victims, particularly hotlines in countries impacted by online scam operations. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face retribution or hardship.

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 MPS increased the number of child-friendly investigation rooms from 33 to 45 at the provincial level. The government provided legal aid to 50 victims, compared with 41 victims in 2022. 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 two to 140 million VND (\$82-\$5,771), compared with three to 45 million VND (\$124-\$1,855) in 2022. The government encouraged trafficking victims to assist in judicial proceedings against traffickers; however, NGOs reported victims – particularly victims of online scam operations – were hesitant to participate in prosecutions because of fear they would be penalized for offenses or crimes committed as a direct result of being trafficked. The government reported 40 victims participated in investigations and prosecutions, compared with 29 victims participating in 2022. 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 1,781

calls, compared with 2,434 in 2022; and it received 79 trafficking referrals involving 87 victims, including 34 child victims, 61 labor trafficking victims, 16 sex trafficking victims, and 10 victims of unspecified forms of trafficking. The hotline referred 59 victims to the police, 18 victims to MOLISA, five to the Border Guard, one to MFA, and 51 victims to NGOs.

PREVENTION

The government slightly 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 that an increasingly strict project review process and widespread bureaucratic caution caused by an ongoing anti-corruption campaign had resulted in delayed approvals for both foreign funded and domestic projects in all sectors, including some anti-trafficking activities. Observers previously 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 18.4 billion VND (\$758,450) to its trafficking prevention efforts and for the implementation of the NAP, compared with allocating 14.5 billion VND (\$597,692) in 2022. The government held public mid-term assessments of the NAP and monitored and evaluated progress against the plan through internal weekly, monthly, and semi-annual reports. The government conducted awareness campaigns at the national, provincial, and district levels targeting school-aged children and the public, many in partnership with NGOs; some campaigns focused on raising awareness around online scam operations. Officials reported awareness campaigns over the past 10 years had been uncoordinated and ineffective in preventing human trafficking, particularly transnational trafficking. MPS collected trafficking data from 20 government agencies, ministries, and departments on a quarterly basis and reported the data biannually and made marginal efforts to standardize TIP data collection templates for provincial authorities. Observers noted mixed results with these efforts, citing delays in implementation and ambiguous roles and responsibilities for data collection. The government, in partnership with international organizations and a foreign government, researched and released reports, publicly and internally, on multiple trafficking-related topics.

The government continued implementation of Law 69 and its related policies which prohibited charging contract-based Vietnamese overseas workers certain fees and expanded their protections, including the right to unilaterally terminate a contract; however, the law permitted recruitment agencies to continue charging worker-paid recruitment fees. Although observers reported that since its passage Law 69 had overall

reduced the cost of worker-paid recruitment fees, government officials lacked adequate training to support the law's implementation and the government lacked a formal system to receive worker complaints. The government issued new regulations promoting workers' protection establishing ceilings for certain fees and minimum benefits for migrant workers in some destination countries. Some destination countries' individual labor recruitment regulations, at times, conflicted with Law 69; for example, Japan passed a regulation in 2021 affirming that Vietnamese workers were still required to pay service fees to participate in work programs there. State-licensed private labor recruitment firms, in particular those affiliated with state-owned enterprises, and unlicensed brokers reportedly continued to charge some workers seeking overseas employment higher fees than the law allowed, making them vulnerable to debt-based coercion. The government issued additional implementing guidance assigning roles and responsibilities for a 2022 directive which increased protections for Vietnamese overseas workers, directed agencies to ensure policies regarding overseas workers were consistent with international standards, and to build a database to track overseas workers.

MOLISA received 119 civil complaints related to labor recruitment practices in 2023, compared with 69 in 2022. MOLISA inspected or continued to inspect 41 labor export enterprises, of which it fined 27 for administrative violations to a total of 1.03 billion VND (\$42,457), compared with 15 inspections and four fines leading to 212.5 million VND (\$8,759) in 2022. MOLISA revoked seven business license of recruiters and suspended another five for violations of the Law 69, compared with revoking one business license in 2022. The government reported nine cases were transferred to local authorities to investigate organizations and individuals sending workers abroad without licenses, compared with 109 such cases in 2022. As in prior years, MOLISA raised awareness on labor laws and safe migration practices among employment services centers and businesses; authorities raised awareness on risks involving job opportunities associated with online scam operations. However, 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. NGOs also cited a lack of clear guidance about the formal process for migrant workers to file complaints against their employers and widespread lack of awareness among workers on how to file grievances. In May 2023, the government designated the Department of Fisheries Surveillance as the interagency lead on combating illegal, unregulated, and unreported fishing, which frequently included correlated trafficking indicators. Despite this, observers reported the government did not adequately implement fisheries laws and regulations or monitor the domestic fishing fleet; however, the government made some efforts to prosecute and convict individuals allegedly in violation of the fisheries law.

The government maintained labor migration agreements on Vietnamese workers with 13 governments. The government continued negotiations on labor cooperation agreements initiated in a prior reporting period with two additional foreign governments. The government also maintained a separate 2017 Memorandum of Cooperation with the Government of Japan to improve protections for Vietnamese participants in Japan's Technical Intern Training Program amid continued reports of exploitation of Vietnamese workers in the program; together with an international partner, the government reported cooperating with the Government of Japan in tentatively forming new policies and SOPs for worker recruitment. In prior years, reports indicated the government did not exercise sufficient oversight of contract and recruitment processes under the auspices of some of these bilateral agreements. Within the country, observers noted an inability to form independent unions continued to constrain the protection of worker's rights, and restrictions on freedom of expression and association continued to impede some public discourse on key labor and land rights issues related to trafficking vulnerabilities. The government made some efforts to reduce the demand for commercial sex acts and extraterritorial commercial child sexual exploitation and abuse, and imposed fines for administrative violations related to commercial sex. The government did not take steps to deny entry of known sex offenders. The government did not provide anti-trafficking training to its troops prior to their deployments as peacekeepers.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Vietnam, and traffickers exploit victims from Vietnam abroad. Sixty-nine percent of workers are employed in the informal economy where labor laws are not effectively enforced, increasing vulnerability to trafficking. 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; approximately 155,000 Vietnamese workers went abroad under contracts in 2023 alone. Some recruitment companies are unresponsive to workers' requests for assistance in situations of exploitation, and some charge excessive fees, increasing workers' vulnerability to forced labor through debt-based coercion. Traffickers exploit Vietnamese nationals in forced labor in construction, agriculture, mining, maritime industries, logging, and manufacturing, primarily in Malaysia, ROK, Laos, Japan, and in some parts of the Middle East, and Europe – such as the United Kingdom (UK) and Iceland – including in nail salons and on cannabis farms. There are increasing reports of Vietnamese labor trafficking victims in Taiwan, continental Europe, the Middle East, Africa, and in Pacific maritime industries, including on Indonesian and Taiwanese fishing vessels operating under complex ownership and registration arrangements that

enable traffickers to evade detection and intervention by law enforcement. The lack of a requirement for labor contracts and use of oral agreements in the fishing industry increases fishermen's vulnerability to trafficking. Labor brokers exploit fishermen in labor trafficking by forcing them to involuntarily work on fishing vessels. Vietnamese traffickers, including two members of Vietnam's diplomatic service, reportedly exploited Vietnamese nationals in forced labor in Saudi Arabia; the diplomats in this case were recalled and investigated. Many Vietnamese nationals are exploited in forced labor under the auspices of Japan's Technical Intern Training Program and in agricultural education programs in Israel. Vietnamese nationals endure restricted freedom of movement, travel and identity document confiscation, threats of physical violence, poor living and working conditions, contract irregularities, fraudulent recruitment, and punitive deportation at PRC national-owned factories affiliated with the PRC's Belt and Road Initiative in the Balkan region. Pandemic-related travel restrictions had previously compounded these vulnerabilities for many Vietnamese migrant workers overseas, including by forcing some to remain in their positions long after the conclusion of their contracts. Widespread social stigma increases LGBTQI+ individuals' vulnerability to trafficking. Climate change impacts, including saltwater intrusion and drought, force an estimated 24,000 people to leave the Mekong Delta region every year, increasing trafficking risks due to livelihood loss.

Traffickers exploit Vietnamese nationals in forced labor in online scam operations, or in sex trafficking in locations near online scam operations, located primarily in Burma, Cambodia, Laos, and the Philippines. Authorities reported knowledge of at least 10,000 Vietnamese nationals ostensibly working in casinos and gaming businesses in Burma – industries which frequently disguised online scam operations – though the true number of Vietnamese nationals exploited in these operations is likely much higher. Traffickers continue to take advantage of pandemic-induced unemployment to lure Vietnamese nationals, increasingly men and young adults with secondary education, with false promises of job opportunities abroad, often in online scam operations. 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 PRC, Cambodia, and Laos, or elsewhere in Asia, West Africa, and Europe. Traffickers exploit an increasing number of Vietnamese women and girls in sex trafficking in Burma. Traffickers exploit some Vietnamese women who travel abroad for internationally brokered marriages or jobs in restaurants, massage parlors, and karaoke bars – including to Burma, Japan, ROK, Malaysia, the PRC, Saudi Arabia, Singapore, and Taiwan – in forced labor in domestic service or sex trafficking. Reports indicate traffickers continue to exploit women and girls domestically in Vietnam to sex trafficking in massage parlors, karaoke bars, and hotels. Observers claim many sex trafficking cases are unreported because of social stigma

and victims' fear of possible repercussions by authorities. Traffickers in border villages reportedly lure Vietnamese women and girls, particularly from the Hmong ethnic minority group to the PRC for forced marriages that often feature corollary sex trafficking and/or forced labor indicators. There are past 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. Vietnamese women and girls are reportedly vulnerable to forced labor and sex trafficking at "girl bars" – entertainment sites advertising paid "accompaniment" services often involving sex acts with young women and girls – in urban areas in Japan. Organized crime syndicates operating within Special Economic Zones (SEZs) in Southeast Asia – particularly in the Golden Triangle SEZ at the intersection of the Burmese, Thai, and Lao borders – exploit Vietnamese nationals through deceptive recruitment and in sex trafficking. 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 migration, European gangs and traffickers often exploit Vietnamese victims in forced labor and sex trafficking before they reach their final destination. The operators of Vietnamese national-owned agricultural plantations exploit local internal migrants in forced labor in neighboring Laos.

Within the country, ongoing pandemic-related unemployment and other socio-economic stressors increased vulnerabilities to trafficking, particularly for women and children in rural areas and among ethnic minorities. Traffickers are sometimes parents, family members, or small-scale networks exploiting Vietnamese men, women, and children – including unhoused children – in forced labor, although little information is available on these cases. A previous study indicated 80 percent of known trafficking victims in Vietnam were members of ethnic minority communities; however, NGOs report an increasing number of Kinh ethnic majority members trafficked into forced labor. Other reports suggest many children in Vietnam may experience coercion or exploitation indicative of trafficking, with children from rural and underserved communities at particularly high risk. Traffickers exploit children and adults in forced labor in street hawking and begging in major urban centers, and in forced or bonded labor in brick factories, and urban family homes. Adults are also at risk of forced labor in the garment industry. Sex traffickers target many children from impoverished rural areas. 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. Perpetrators of extraterritorial child sexual exploitation and abuse, reportedly from elsewhere in Asia, the UK, other countries in Europe, Australia, Canada, and the United States, exploit children in Vietnam.

North Korean nationals working in Vietnam may be operating under exploitative working conditions and display multiple indicators of forced labor. In prior years, there were reports of some complicit Vietnamese officials, primarily at commune and village levels, who allegedly facilitated trafficking or exploited victims by accepting bribes from traffickers, overlooking trafficking indicators, and extorting money in exchange for reuniting victims with their families. In 2019, the government reported it had ceased the practice of subjecting drug users to forced labor in its 105 rehabilitation centers; this claim has not been independently verified. In 2021, the government reported revising its regulations on drug addiction treatment, stipulating that any labor performed by detainees in compulsory drug rehabilitation centers must comply with provisions of Vietnam's labor law and include remuneration. A 2014 legal provision requires a judicial proceeding before detention of drug users in compulsory drug rehabilitation centers and restricts detainees' maximum workday to four hours. There were prior reports that prisoners, including political and religious dissidents, were forced to work in agriculture, manufacturing, and hazardous industries, such as cashew processing. Cuban government-affiliated workers, including medical professionals, in Vietnam may have been forced to work by the Cuban government.

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