



MINISTRY OF LABOUR, INVALIDS  
AND SOCIAL AFFAIRS

unicef 

# AN ANALYSIS OF THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN IN SELECTED PROVINCES AND CITIES OF VIET NAM



Artwork by children at the Little Rose Shelter (HCMC)

AUGUST 2011



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## ABBREVIATIONS

AAV	Action Aid Viet Nam
AAT	Alliance Anti-Traffic
ASEAN	Association of South East Asian Nations
ARTIP	Asia Regional Trafficking in Persons Project
BCC	Behaviour Change Communication
CEFACOM	Centre for Research, Family Health and Community
CEOP	Child Exploitation and Online Protection (a unit of the British Police)
CHDC	Community Health Development Consulting
CICL	Children in Conflict with the Law
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
CPS	Child Protection System
CRC	Convention on the Rights of the Child
CRWG	Child Rights Working Group
CSA	Child Sexual Abuse
CSAGA	Centre for Studies and Applied Sciences in Gender, Family, Women and Adolescents
CSEC	Commercial Sexual Exploitation of Children
CST	Child Sex Tourism
CTSP	Child Trafficking for Sexual Purposes
DOET	Department of Education and Training
DOH	Department of Health
DOLISA	Department of Labour, Invalids and Social Affairs
DOJ	Department of Justice
DPS	Department of Public Security
DSEP	Department of Social Evils Prevention
FBO	Faith Based Organisation
HCMC	Ho Chi Minh City
HCWF	Ho Chi Minh City Child Welfare Foundation
ICT	Information Communication Technology
IEC	Information Education Communication

ILO	International Labour Organisation
IOM	International Organisation for Migration
ISDS	Institute for Social Development Studies
MOET	Ministry of Education and Training
MIC	Ministry of Information and Communication
MOJ	Ministry of Justice
MOU	Memorandum of Understanding
MOLISA	Ministry of Labour, Invalids and Social Affairs
MPS	Ministry of Public Security
MSM	Men who have Sex with Men
NGO	Non Government Organisation
NPA	National Program of Action
NPCP	National Program for Child Protection 2011-2015
OPSC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
PALS	Pacific Links Foundation
SAVY	Survey Assessment of Vietnamese Youth
TAF	The Asia Foundation
TOT	Training of Trainers
UNIAP	United Nations Inter-Agency Project on Human Trafficking
UNICEF	United Nations Children's Fund
UNICEF IRC	UNICEF Innocenti Research Centre
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
VGT	Virtual Global Taskforce
VHLSS	Viet Nam Household Living Standards Survey
VNAT	Viet Nam National Administration of Tourism
VND	Vietnamese Dong
VWU	Viet Nam Women's Union
WFCL	Worst Forms of Child Labour

## FOREWORD.

The commercial sexual exploitation of children (CSEC) is a concerning global problem which extends to Viet Nam. More than twenty years ago, Viet Nam became the first country in Asia and second in the world to ratify the Convention on the Rights of the Child. In delivering its commitment to child protection, the Government has made impressive achievements towards the implementation of children's rights and building protective frameworks for children. However, the response to commercial sexual exploitation of children has not yet been sufficient.

In order to establish a strong foundation for the development of policies and initiatives which focus on protecting children from commercial sexual exploitation and providing appropriate care for child victims, the Ministry of Labor Invalids and Social Affairs and UNICEF Viet Nam jointly initiated this study in five selected cities and provinces of Viet Nam.

The findings of the research, including field assessments in the five selected cities and provinces, have shown an alarming situation of child prostitution, child sex trafficking, child sex tourism and child pornography in Viet Nam. Both girls and boys are victims of this abuse which is occurring not only in the large urban cities but also in rural areas, resulting in serious impacts for children's development.

Recognising that children at risk and child victims of commercial sexual exploitation require special protection measures, the study provides five key recommendations which include the development of a Policy Framework, a Coordination Framework, Legal and Regulatory Systems, Social Welfare Systems and Social Behaviour Change Systems.

The recommendations listed in this report identify a clear path for mobilising a comprehensive child protection system that can respond to the special protection needs of children. The recommendations also propose roles and responsibilities for the Government, national institutions, non-government organisations, UN agencies, the private sector, communities, families and individuals to prevent and respond to the commercial sexual exploitation of children in Viet Nam.

**Nguyễn Trọng Đàm**  
Vice-Minister  
MOLISA

**Lotta Sylwander**  
Representative  
UNICEF Viet Nam



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Committed to understanding and responding to the commercial sexual exploitation of Viet Nam's children, UNICEF Viet Nam and the Department of Social Evil Prevention (DSEP) within the Ministry of Labour, Invalids and Social Affairs (MOLISA) jointly initiated this situational analysis in December 2010.

The research team included: Ms Anita Dodds (researcher/team leader), Dr Do Ngoc Khanh (research assistant), Ms Nguyen Thi Ha and Ms Le Hong Loan (who facilitated the research on behalf of UNICEF), Ms Vu Thanh Van, Mr Ha Ngoc Anh and Ms Phan Minh Chau (UNICEF translators), Mr Nguyen Van Minh, Ms Le Thi Ha, Mr Cao Van Thanh, Mr Nguyen Xuan Long, Ms Nguyen Thi Mai Anh, Mr Pham Ngoc Dung, Mr Pham Tien Thanh, Ms Vu Thi Kim Dung, Mr Luu Thi Hien and Ms Vu Thuy Hang (DSEP research team).

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### Central Government

Ministry of Public Security (MPS), Border Guards, Supreme People's Court, Viet Nam National Administration of Tourism (VNAT), Ministry of Education and Training (MOET), Ministry of Justice (MOJ), Ministry of Information and Communication (MIC), Viet Nam Women's Union (VWU), and DSEP (MOLISA).

### Provincial Government

In Lao Cai, Khanh Hoa, An Giang, Ho Chi Minh City and Ha Noi: Department of Labour, Invalids and Social Affairs (DOLISA), Department of Justice (DOJ), Department of Public Security (DPS), Department of Health (DOH), People's Committee, Women's Union, Border Guards, Institute of People's Procuracy, Department of Education and Training (DET), Centres for Education and Social Labour, Legal Aid Centres, Veterans Service and the Department of Culture, Sports and Tourism (DCST).

### Development Partners

International Labour Organisation (ILO), International Organisation for Migration (IOM), United Nations Inter-Agency Project (UNIAP), United Nations Office on Drugs and Crime (UNODC), the Australian Embassy, the Australian Federal Police, AusAID, the British Embassy, the Embassy of Sweden, the United States Embassy and USAID, Asia Regional Trafficking in Persons Project (ARTIP), MTV EXIT, Action Aid Viet Nam (AAV), AIDS Committee of Ho Chi Minh City, Alliance Anti-Traffic (AAT), The Asia Foundation (TAF), Blue Dragon Children's Foundation, Centre for Research, Family Health and Community (CEFACOM), Centre for Studies and Applied Sciences in Gender, Family, Women and Adolescents (CSAGA), ChildFund, Community Health Development Consulting (CHDC), Hagar Viet Nam, HealthRight, Ho Chi Minh City Child Welfare Foundation (HCWF), Institute for Social Development Studies (ISDS), KOTO, Pacific Links Foundation (PALS), Plan in Viet Nam, Save the Children Viet Nam, Thao Dan Social Protection Organisation, World Vision.

*Most importantly, to the hundreds of children, parents, families, community members and care providers who willingly and openly shared your personal stories in order to advance children's protection in Viet Nam, we sincerely respect and thank you.*

## DEFINITIONS

This report follows the internationally recognised terminology relating to CSEC as contained in international conventions and protocols and defined by expert agencies. It is important to define the key terminology at the beginning:

*As governments, United Nations agencies and non-governmental organisations work to prevent sexual violence against children and to assist those children who have been violated, it is important that we understand clearly what we are talking about when we use terms such as these. The confusion around terminology may not seem like a substantive issue . . . but the implications of confusion are considerable<sup>1</sup>*

### What is the commercial sexual exploitation of children (CSEC)?

CSEC is ‘the sexual exploitation by an adult of a child or adolescent below 18 years of age that involves a transaction in cash or in kind to the child or to one or more third parties. Commercial sexual exploitation of children includes:

- The use of girls and boys in sexual activities remunerated in cash or in kind;
- Trafficking of girls and boys and adolescents for the sex trade;
- Child sex tourism;
- The production, promotion and distribution of pornography involving children; and
- The use of children in sex shows (public or private).<sup>2</sup>

### What is child prostitution?

Child prostitution involves ‘the use of a child in sexual activities for remuneration or any other form of consideration’.<sup>3</sup> ECPAT International expands this definition by explaining:

*The prostitution of children occurs when someone benefits from a commercial transaction in which a child is made available for sexual purposes. Children may be controlled by an intermediary who manages or oversees the transaction, or by a sex exploiter, who negotiates directly with the child. . . Child prostitution may occur in many different locations, such as brothels, bars, clubs, homes, hotels or on the street.<sup>4</sup>*

### What is child sex trafficking?

Child sex trafficking involves the recruitment, transfer, harbouring or receipt of a child within or across borders for the purpose of sexual exploitation.<sup>5</sup>

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1 Subgroup Against the Sexual Exploitation of Children (2005), *Semantics or Substance: Towards a Shared Understanding of Terminology Referring to the Sexual Abuse and Exploitation of Children*, NGO Group for the Convention on the Rights of the Child, p. 6.

2 ILO (2007), *Guidelines on the Design of Direct Action Strategies to Combat Commercial Sexual Exploitation of Children*, Geneva, Switzerland, p.7.

3 UN (2002), *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*, Article 2 (b).

4 ECPAT International (2008), *Questions and Answers about the Commercial Sexual Exploitation of Children* [online], Available at: [http://www.ecpat.net/ei/Publications/About\\_CSEC/FAQ\\_ENG\\_2008.pdf](http://www.ecpat.net/ei/Publications/About_CSEC/FAQ_ENG_2008.pdf), [Accessed 16 March 2011], p. 6.

5 UN (2000), *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*, Article 3.

## What is child sex tourism?

While the definitions for child prostitution, child sex trafficking and child pornography are derived from an international legal instrument, there is no consensus or legal definition for child sex tourism. For the purpose of this report, child sex tourism will be defined as ‘the commercial sexual exploitation of children by men or women who travel from one place to another (usually from a richer country to one that is less developed) and there engage in sexual acts with children.’<sup>6</sup>

## What is child pornography?

The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Pornography (OPSC) specifies that child pornography involves ‘any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes’ (Article 2(c), 2002).

While it is important to specifically define each particular manifestation of CSEC, there is often no sharp dividing line between non-commercial and commercial exploitation.<sup>7</sup> The various forms of CSEC can be inextricably linked. It is particularly important to be mindful that, from a child’s perspective, the abuse and its consequences are similar.

## What is a child sex offender?

For the purpose of this study, a child sex offender will refer to those customers who engage in commercial sexual activities with children, whether through the purchase of sex or sexual abuse images. The use of the term ‘child sex offender’ acknowledges that other terminology, such as ‘child sex customer’, denies the criminality of the activities conducted by these individuals.

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<sup>6</sup> ECPAT International (2008b), *Combating Child Sex Tourism: Questions and Answers*, Bangkok, Thailand, p. 14.

<sup>7</sup> Tautz, S., Bähr, A. & Wölte, S. (2006), *Commercial Sexual Exploitation of Children and Young People* [online], Available at: <http://www.gtz.de/de/dokumente/en-csec-article-2006.pdf>, [Accessed 26 February 2011].

## EXECUTIVE SUMMARY

The disturbing global phenomenon of commercial sexual exploitation of children (CSEC) is occurring in Viet Nam. Evidence suggests increasing numbers of children are being sexually exploited through commercial transactions which include prostitution, sex trafficking, sex tourism and pornography. This buying and selling of sex with children is a deplorable violation of children's rights, and it is concerning that, despite policies and interventions to protect children, CSEC is continuing and new manifestations have emerged in the past five years.

### Objectives:

UNICEF Viet Nam and the Department of Social Evils Prevention (DSEP) within the Ministry of Labour, Invalids and Social Affairs (MOLISA) jointly initiated this study to investigate the situation of CSEC in Viet Nam and provide the Government with updated information on the magnitude, nature and trends relating to CSEC in order to protect children from commercial sexual exploitation and support those children who have already been affected.

### Methodology:

Respecting that children are 'rights-holders' with legitimate claims to protection from sexual exploitation in accordance with Articles 19, 34 and 35 of the Convention on the Rights of the Child (CRC), this study adopted a human rights-based approach to investigate the situation of CSEC in Viet Nam. The study applied multiple research methods to validate qualitative and quantitative data including a comprehensive desk review, stakeholder meetings, field assessments, focus group discussions, in-depth interviews, qualitative surveys and on-site observations.

Field assessments were conducted in five of Viet Nam's 63 provinces; Ha Noi, Lao Cai, An Giang, Ho Chi Minh City and Khanh Hoa. Qualitative information was collected during interviews and focus group discussions with 566 respondents. Importantly, this study sought the meaningful participation of child respondents and followed strict ethical guidelines during interviews with 104 children of whom 51 were child victims of CSEC. While child sex trafficking, child prostitution and child sex tourism were reported in all provinces, high levels of child sex trafficking were evident in the border provinces of An Giang and Lao Cai, whereas child prostitution was more prevalent in the urban centres of Ha Noi and Ho Chi Minh City.

Although it is not possible to precisely determine the number of children engaging in CSEC, quantitative data can provide useful insights into the nature, magnitude and emerging trends. DSEP (MOLISA) therefore issued a quantitative survey to Provincial Authorities in 63 provinces requesting statistical information relating to CSEC in the five year period from 2006 to 2010. 43 provinces responded to the quantitative survey, but only 22 of 63 provinces (34 per cent) reported cases of child prostitution or child sex trafficking in the past five years. Insights gained during the field assessments and desk review indicates that the magnitude of CSEC is more significant than currently suggested in the official data.

Due to the illicit, hidden and sensitive nature of CSEC, the primary limitation to the research was the absence of reliable data on all forms of CSEC which means there is no official baseline on which to conduct a comparative assessment of the nature and trends relating to CSEC. When figures are available, they frequently fail to disaggregate between gender, age or ethnic group. Speculative statistics are often overly conservative and underestimate the scale of the CSEC problem. Furthermore, time and budget limitations only allowed for field assessments in five provinces, but the examination of these provinces is not indicative that CSEC only occurs in these locations. Likewise, the non-inclusion of some provinces or districts does not infer that CSEC is not occurring in those locations.

## Key Findings:

### **Child Prostitution**

Although child prostitution is the most prevalent form of CSEC in Viet Nam, it is under-researched and under-resourced. During the course of this research, it was identified that while girls' involvement in prostitution is more visible, boys are also involved in prostitution. Girls commonly work from cafes, karaoke bars, hair salons and beer shops where they are 'owned' by the business manager or pimp and released to provide sexual services for customers. However, girls and boys also work independently, often congregating with other child victims in public venues and parks. Compared with five years ago, children are entering prostitution at younger ages. 14 of the 32 interviewed victims (44 per cent) commenced sex work when they were aged between 12-15 years old. The youngest observed age of entry into prostitution was eight years old. While most children enter prostitution through force and deception only a few had made 'decisions' to begin prostitution, but these children reported that their 'decisions' were intertwined with their difficult personal circumstances. Once engaged in prostitution, many girls were not forced to stay, but expressed they had lost all hope of pursuing other employment options. Demand is a key driver of the commercial sex industry, and the buyers of child prostitution include Vietnamese and foreign citizens, men and women, and people from varying age groups and occupations.

### **Child Sex Trafficking**

Due to its trans-boundary nature, child trafficking for sexual purposes has received domestic and international attention and resources in recent years. Girls and boys are at risk of cross-border, international and internal forms of sex trafficking in Viet Nam. Children are most commonly trafficked for sexual purposes to those countries that share a border with Viet Nam, including China, Cambodia and Lao PDR. However, Malaysia, Singapore, Thailand and other Asian and European countries are also amongst the known destinations where children have been trafficked for sexual purposes. Only 12 of the 43 provinces who responded to the official quantitative survey recorded trafficking cases in the past five years. In 2010, seven provinces reported cases of child sex trafficking which included 63 child victims being returned to Viet Nam (compared with 15 child victims in 2006). However, these figures only include victims returned through official channels and do not account for self-returns. It is concerning that high-risk provinces such as An Giang, Ha Giang and Lai Chau, reportedly detected no cases of child sex trafficking in the past five years. While it is not well-recognised, there is evidence that some children are being trafficked for sexual purposes within Viet Nam, usually from rural to urban areas. Five of the trafficked children interviewed (26 per cent) were victims of internal sex trafficking; however, these children were usually classified as 'prostitutes' rather than trafficking victims and were subject to administrative sanctions if over 16 years old; indicating a critical difference in the perception of child victims of prostitution compared with child victims of sex trafficking.

Of the 19 child sex trafficking victims interviewed for this study, nine (47 per cent) were younger than 15 years old when they were trafficked. Children are particularly vulnerable in rural areas where there is low awareness of trafficking and limited employment opportunities. Traffickers exploit these vulnerabilities by deceiving and befriending children. However, disturbing evidence is emerging that traffickers are turning towards kidnapping, drugging and violence to entrap children. Traffickers are often known by their child victims (they may be an immediate or distant relative, a friend, an acquaintance of a friend, a current or previous member of their community). There is also evidence that child victims of sex trafficking have later returned to their own or other communities to deceive and entice other children to join them.

## **Child Sex Tourism**

During an 18 month period in 2005 – 2006, seven foreign citizens were arrested for sex crimes against Vietnamese girls and boys. But, since the end of 2005, when international media surrounded the high profile arrests and subsequent convictions of a British musician in Vung Tau, there have been no further arrests of foreign citizens for child sex crimes in Viet Nam. The lack of arrests is not an indication that foreigners have ceased their illegal child sex activities. Rather, 28 child respondents (76 per cent) reported that their customers included foreigners. Children reported that these foreigners come from all over the world, including Asia, Europe, the United States, Australia and Africa. Previous arrests reveal that foreign sex offenders in Viet Nam included those operating in organised networks and those who engage in sex with children on an opportunistic basis. While child sex tourism is commonly reported in large cities, there is evidence that these crimes are emerging in new locations, including remote and mountainous areas. Reports were received from lottery sellers, xe om drivers and restaurant staff in Lao Cai and An Giang which suggested that foreigners were amongst the buyers of child sex.

## **Child Pornography**

The explosion of digital technology has had an undeniable link to the escalation of CSEC as offenders use the internet and mobile phones to lure children, transmit sexual images of children and blackmail children into exploitative situations. 14 child victims of prostitution and sex trafficking interviewed reported that Vietnamese and foreign customers collected images of them while they were engaged in sexual activities, mostly via mobile phone. Children are often powerless to refuse and are unaware of the later commercial use of their images. Sexual abuse images of children are accessible on DVD, the internet and mobile phones. While child pornography is inherently linked to child prostitution, child sex trafficking and child sex tourism, children who are not victims of prostitution or trafficking, have also been enticed and forced to participate in ‘body show’ and ‘chat sex’ with known and unknown viewers on the internet. Child sexual abuse images have been on-sold to third parties and victims are often unaware of this further level of exploitation.

## **Cross Cutting Issues**

Child victims of prostitution, sex trafficking and sex tourism reported a number of similarly disturbing conditions. 17 of 25 child respondents (68 per cent) received more than 5-6 customers per day, with some children receiving more than ten customers per day. 38 of 47 children (80 per cent) reported that they had been physically and/or emotionally abused by their customers and/or brothel owners. Many children required medical treatment for the severity of the beatings and abuse they received. Almost half of the girl victims of CSEC had one or more pregnancies (17 out of 35 girls who responded). Of these, nine girls had undergone one or more abortions.

Child victims of CSEC are amongst the highest risk group for contracting HIV and, in 2009, the Ministry of Health estimated that 4,720 children were living with HIV in Viet Nam<sup>8</sup>. While the interviewed children have a high level of awareness of the risk of HIV, 16 children (36 per cent) reported that they were regularly threatened to not use condoms or offered more money by customers if they refrained from condom use. Anecdotal reports from child victims suggest that drug use is both a precursor to CSEC and impact of CSEC. However, of the 29 child victims who responded to the question about drug-taking, only four (13 per cent) were currently using drugs. A further four girls reported that they were previously given unknown drugs by their employers (two of these girls were sex trafficking victims).

Child victims of CSEC experience immeasurable harm. Police, Border Guards and staff working in shelters reported that children often experience severe psychological, physical and social problems. Physical conditions include injuries from beatings, illnesses, reproductive health issues and sexually transmitted diseases including HIV. Child victims also experience mental health issues including

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<sup>8</sup> UNICEF (2010), *An Analysis of the Situation of Children in Viet Nam 2010*, Ha Noi, Viet Nam, p. 211.

depression, aggression, fear and suicidal tendencies. Social impacts can include stigmatisation, lack of family acceptance and inability to communicate with others. The impact of CSEC extends beyond the immediate and long-lasting harm to children, and touches their families, their communities and broader society.

## **Causes**

The commercial sexual exploitation of children cannot be explained through a single cause. Nor do the steps that lead children into commercial sex follow a common linear progression. Key structural causes (including economic, social and cultural conditions) connect to a complex web of underlying contributors which include economic hardship, inconsistencies within regulatory frameworks and enforcement of law, limited access to services (education, health, employment, social welfare), increasing demand and lingering cultural factors. At the immediate level, every child's situation is different, but family dysfunction and individual experiences have a significant influence on children's entry into commercial sex. Of the 51 children interviewed, only four (seven per cent) described their childhood and family circumstances as normal. The remaining 47 children (93 per cent) provided examples of cumulative harm of which poverty, domestic violence, substance abuse, maltreatment by a step-parent, child sexual abuse were the most commonly mentioned contributing factors.

## **Legal Frameworks, Policies and Services to Address CSEC**

In the past decade the Government of Viet Nam has initiated important actions to address CSEC. Laws, decrees, decisions, joint circulars, national plans and policies relating to broad issues of prostitution, trafficking and pornography have been enacted, revised and implemented. Bilateral agreements have been established, and Viet Nam has become an active participant in regional and international networks on CSEC. Police, Border Guards and the judiciary have participated in child-friendly procedures training and arrests and convictions of CSEC offenders have been facilitated. A multitude of prevention campaigns have been distributed which contribute to increased public awareness of CSEC risks (particularly for trafficking and sex tourism). Education programs and the Child Helpline have also been coordinated by MOLISA. Social welfare services are improving to include the training of social workers and a move towards more community-based services. While not directly focusing on CSEC, community-based efforts to reduce poverty, provide small-scale loans and improve access to education and employment have contributed to a more protective environment for children.

Alongside Government initiatives, a growing group of stakeholders is working to address CSEC in Viet Nam. UN agencies, NGOs, Diplomatic missions and other operations are applying programs which indirectly address CSEC (including community-based poverty alleviation programs, safe migration initiatives and child protection activities). Specific CSEC initiatives conducted by these groups include public awareness campaigns; peer educator training; scholarships for girls at risk of CSEC; reception and shelter services for victims of CSEC; referral and reporting systems including hotlines and counselling services; vocational training and medical support; outreach services for at-risk children; training and capacity building for authorities and communities.

## **Gaps in Legal Frameworks, Policies and Services**

Despite important steps to address CSEC through legal frameworks, policies and services, persistent gaps and weaknesses exist. Viet Nam's legal frameworks are not fully aligned with the CRC and OPSC. As a result, the definition of child prostitution and pornography are not in accordance with international standards and administrative sanctioning is possible for child victims aged between 16 – 18 years old. Furthermore, the arrests of foreign citizens for sex crimes have ceased in the past five years. While Police and Border Guards have participated in training to promote child-friendly investigations and special procedures have been established to create sensitive criminal and administrative processes court procedures for child victims, the training has not been far-reaching and many authorities in

decision-making and front-line roles still lack capacity and practical experience in handling these very sensitive crime types. In the policy environment, Viet Nam does not have had a dedicated policy or program which recognises CSEC victims and children at risk of CSEC have special protection needs. Instead, CSEC has been on the periphery of other broader policies which do not automatically address CSEC and, therefore, the specific needs of child victims of CSEC have been invariably overlooked.

While child prostitution is the most prevalent form of CSEC, trafficking has received more national and international attention in terms of research, resources and services. Services for victims of child prostitution are inadequate and services for trafficking victims are not sizeable enough to respond to the growing number of cases. Economic advances have not reached all levels of society and key groups of children (including ethnic minority families and those in economic hardship) remain vulnerable to migration, school drop-out, neglect, and deception. Acknowledgement of CSEC has not filtered down to provincial, district and commune levels resulting in heightened vulnerabilities for children. The Government has also struggled to keep pace with the sophisticated techniques of exploiters and the rapid expansion of digital technologies which particular relate to CSEC. Despite the enormous investment in prevention campaigns, they have not been market-tested to assess the suitability of messaging and their behaviour change impact on target audiences is questionable. In at-risk communities, children and parents remain largely unaware of risks and are ill-equipped to prevent CSEC.

## **A New Direction**

If, as a nation, Viet Nam is committed to keeping pace with international efforts to protect children and curbing the continued proliferation of commercial sexual crimes against children, it is no longer suitable to continue along the same path as the past.

In early 2011, the United Nations General Assembly (UNGA) recommended that Viet Nam build a more comprehensive social protection system to provide an adequate safety net for all children, especially the most vulnerable.<sup>9</sup> The recent launch of the National Program for Child Protection (NPCP) (2011 – 2015) is the first formal attempt to address child protection issues in a systemised, practical and meaningful way in Viet Nam. Key groups of children (including street children, children with disabilities, orphans, victims of child sexual abuse and children living with HIV) are the focus of care and support program models designed to meet their special circumstances.

However, child victims of commercial sexual exploitation are excluded from the seven groups of children in special circumstances which are covered by the NPCP. As a result, the central NPCP projects do not include specific provisions for CSEC victims and children who are at risk of CSEC. While it is possible that CSEC victims will indirectly benefit from the general child protection provisions of the NPCP, without specific issue-focused objectives, measurable targets or budget there is a high risk that CSEC will be overlooked in the coming five year period.

Recognising that CSEC victims and children at risk of CSEC require special protection measures, the recommendations are respectfully presented to complement but extend Viet Nam's existing policy framework by purposely addressing the commercial sexual violations of children in Viet Nam within five key inter-related prevention and response themes aligned to the conceptual framework on child protection:<sup>10</sup>

1. Policy Framework
2. Coordination Framework
3. Legal and Regulatory Systems

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<sup>9</sup> UNGA (2011), *op. cit.* p. 12.

<sup>10</sup> UNICEF East Asia and the Pacific Regional Office (Jan 2009), *Child Protection Programme Strategy Toolkit*, Bangkok, Thailand, pp. 11-12



4. Social Welfare Systems
5. Social Behaviour Change Systems

## **Recommendations:**

A comprehensive outline of the recommendations is available in Section Five of this report, but a summary is provided below:

### **1. Policy Framework**

#### **Prepare a National Plan of Action which purposely addresses CSEC**

A comprehensive National Plan of Action on CSEC is required which expands the existing provisions of the National Program on Child Protection (2011 – 2015), the National Program of Action on Counter Human Trafficking (2011- 2015) and the National Program of Action Against Prostitution (2011 – 2015) by explicitly addressing CSEC. This specialised NPA will respect that child victims of commercial sexual exploitation have differing experiences and needs to adults who are engaged in commercial sex or children who experience other special circumstances. In accordance with Viet Nam’s commitment to the Stockholm Agenda for Action (1996) and the Rio de Janeiro Declaration (2008), the NPA must take a cross-sectoral approach and bring key stakeholders together to deliver a comprehensive framework for action on CSEC. The NPA should address identified gaps in existing programs and policies and determine specific objectives, operational plans, designated actors, measurable targets, monitoring techniques and budgetary requirements which directly relate to CSEC.

### **2. Coordination Framework**

#### **Establish a National Taskforce on CSEC**

A National Taskforce is required to build a more strategic and collaborative approach to addressing CSEC. The taskforce will encourage the sharing of knowledge and expertise, prevent duplication of programs and promote a more considered approach to the distribution of resources. MOLISA should be responsible for leading the taskforce and coordinating the engagement and action of concerned Government ministries. UNICEF could have a joint coordination role with responsibility for liaising with other CSEC stakeholders including UN Agencies, NGOs, children, private sector representatives and academia. The National Taskforce should meet on a regular basis to conduct planning, evaluate progress, share best practice, identify emerging trends and determine and address key programmatic gaps.

#### **Promote regional and international cooperation on CSEC**

Viet Nam must become a more active participant in global networks and demonstrate a higher level of preparedness to share knowledge, data and lessons in the international arena. Government-to-Government and cross-sectoral cooperation should be strengthened at regional and international levels to enhance CSEC prevention and facilitate more streamlined identification and repatriation of child victims.

#### **Conduct research into critical CSEC issues**

Further research needs to be conducted into those areas of CSEC that have previously been neglected (particularly relating to child prostitution) and newly emerging CSEC issues (including the evolution of child pornography and the trafficking of children for sexual purposes within Viet Nam’s borders). To prevent duplication of research efforts, the National Taskforce should manage a matrix of current and intended research on CSEC.

### **Promote child participation**

Children (including child victims and those at risk of CSEC) must be included as active participants in the process of policy and program development relating to CSEC. Meaningful child participation can be formalised through the use of youth advisory committees, community-based programs and peer-to-peer initiatives. Children should be invited to contribute to the development of the NPA and to participate in the National Taskforce.

### **Engage the private sector**

CSEC is not only the responsibility of Government, NGOs, UN Agencies, communities and families. Viet Nam's growing private sector should be encouraged to use their networks, corporate knowledge, human and financial resources, business structures and leverage power to proactively address CSEC. A private sector Business Forum should be established as a formal structure to mobilise corporate, strategic and financial inputs to CSEC initiatives. UNICEF could play a key role in spearheading private sector initiatives.

### **Address the risk of CSEC via digital technologies**

The explosion of digital technologies presents serious CSEC risks. Child pornography and online sexual exploitation require specific and targeted actions. MIC must strengthen the protective environment through stricter monitoring, filtering and blocking of websites containing child sexual abuse images. Internet service providers, mobile phone companies, internet cafes and financial institutions should be obliged to trace and report cases of child sexual exploitation. Public education campaigns, such as the newly initiated partnership between UNICEF and Yahoo, needs to be expanded to reach a wider audience of children, parents, teachers and other concerned individuals and groups to improve awareness of CSEC risks via digital technologies and promote accessible reporting mechanisms.

## **3. Legal and Regulatory Systems**

### **Strengthen the legal frameworks relating to CSEC**

Viet Nam's legal frameworks must be aligned with international standards. A critical step involves raising the legal age of children from 16 years old to under 18 years old in accordance with the CRC. Other urgent priorities include: revising the definition of child prostitution in accordance with the OPSC, particularly removing administrative sanctions for child victims of prostitution aged between 16 to 18 years old, recognising child victims of prostitution under the age of 13, and revising the specification that child prostitution involves penetrative sex. The Government must also criminalise the possession and viewing of child pornography.

### **Build the capacity of judiciary and law enforcers**

Law enforcers have a critical role in preventing and responding to CSEC cases. An ongoing and sustainable program of capacity building is required for Police, Border Guards and the Judiciary to strengthen their knowledge of laws, and their practical skills in detecting, investigating and intercepting CSEC cases and responding to child victims. Law enforcers who have participated in 'child-friendly' training programs are advocating for expanded programs that not only reach a larger audience (including training for the Police Academy) but that also provides supplementary training in response to the emergence of new issues, laws or policies.

### **Establish a formal data collection system for CSEC**

The establishment of a formal CSEC data collection system is an urgent priority. While the NPCP includes a sub-project on database development, this must be expanded to include CSEC-related categories to allow for the methodical recording and sharing of disaggregated CSEC data. MOLISA,

MOJ, MPS, Border Guards and The Court all have a responsibility to contribute to data collection and will require specialised technical training to build accuracy in reporting. Non-government agencies should establish a supplementary database to capture information from non-official sources (including data on self-returns, children in NGO shelters, etc).

## 4. Social Welfare Systems

The approval of Viet Nam's National Program on Social Work Profession Development (2010 – 2020) not only aims to build a strong network of skilled social work professionals but will contribute to strengthening the national social welfare system including the detection, prevention, referral and treatment of CSEC cases. The complementary social welfare deliverables contained within the NPCP further strengthen the desired child protection outcomes. However, particular attention is required to ensure that the planned initiatives address the special protection needs of children at risk and child victims of CSEC. The following social welfare system recommendations are proposed to complement and expand the usefulness of the social work provisions contained within National Program on Social Work Profession Development and the NPCP.

### **Build effective social welfare responses to CSEC**

A functional referral and case management approach is required to provide continuous services for child victims and avoid the unsatisfactory fragmented approach of the past. Sexual exploitation must be recognised as a specialist discipline and the newly trained social workers and child protection professionals must be equipped to manage intervention and recovery services for children at risk and victims of CSEC. MOLISA must work with mass organisations and other agencies to explore and establish community-based, non-institutionalised care options that meet the particular needs of child victims of prostitution and sex trafficking and prevent them from returning to exploitative situations. It is critical that these services address the current marginalisation of boy victims and pregnant girl victims of CSEC.

### **Strengthen the protective capacity of families**

MOLISA, VWU, UN Agencies and NGOs can play an important role in strengthening the protective capacity of families and thereby reduce the risk of CSEC. This can include positive parenting training for mothers and fathers; improving access to local income generation sources; supporting migrating families through access to social services and education in new locations; initiating community-based support services; providing low-interest rates for struggling families; and improving access to basic health care services.

### **Improve access to education, employment and recreation**

Lack of education, limited employment options and boredom all contribute to the risk of CSEC. Children must be provided with opportunities and encouragement to stay in school. This includes reducing school fees; educating parents about the importance of school and strengthening social services to monitor and encourage children's attendance. Vocational and higher education must meet the demands of the labour market and provide training which is compatible with existing employment opportunities. Children need opportunities to play and participate in non-risky, age-appropriate entertainment in their local area.

## 5. Social Behaviour Change Systems

### **Improve public awareness of CSEC**

The behaviour change impact resulting from the significant financial investment in public awareness campaigns in recent years is questionable. Raising-awareness is a priority prevention measure, but

the approach to public campaigns requires a radical shift. Future CSEC campaigns must be centrally managed by MOLISA with expert technical advice from behaviour change communication specialists. Campaigns should target specific audiences; include relevant, accessible and simple to understand messages; generate awareness and ignite public response; and link to suitable reporting mechanisms including hotline numbers. To avoid wasted investment, campaigns should be subject to independent evaluation, market-testing and periodic updates to reflect changing trends. Where suitable, campaigns should be prepared in ethnic languages.

### **Improve Government awareness of CSEC**

It is not possible for authorities to implement regulatory frameworks and respond appropriately to CSEC issues if they do not know the laws, the procedures or the problems faced by children in relation to CSEC. It is critical that Government awareness of CSEC is improved. A concerted program is required to sensitise Government officials at the central, provincial, district and commune levels in order to address the existing lack of awareness and occasional prejudice in relation to CSEC. A reward/acknowledgement system is also recommended for those communes, districts and provinces demonstrating best practice in preventing and responding to CSEC.

### **Concluding Comment:**

Concerted, collaborative and urgent action is necessary to safeguard Vietnam's children from commercial sexual exploitation. In five years' time, when reviewing the outcomes relating to CSEC, it will not be acceptable to say that desired targets have not been realised. Viet Nam's achievements in addressing children's rights in the past twenty years present a solid platform for the Government to mobilise a more coordinated and strategic approach to address CSEC in collaboration with a network of UN Agencies, NGOs, the private sector, communities, parents and other concerned groups. CSEC requires special protective measures. It is now time to move ahead with practical action to combat these heinous commercial sex crimes against our children and provide necessary support to those children who have already been exploited.

# SECTION ONE – INTRODUCTION

## VIET NAM'S COMMITMENT TO CHILDREN'S RIGHTS

In November 1989, the UN General Assembly adopted the Convention on the Rights of the Child (CRC). The CRC establishes in international law that State Parties must ensure that all children—without discrimination in any form—benefit from special protection measures and assistance; have access to services such as education and health care; can develop their personalities, abilities and talents to the fullest potential; grow up in an environment of happiness, love and understanding; and are informed about and participate in, achieving their rights in an accessible and active manner.<sup>11</sup>

Viet Nam moved swiftly. Only months after the CRC was opened for signature by State Parties, Viet Nam became the first country in Asia and the second in the world to sign and then ratify the CRC.

Without reservation, the Government of Viet Nam agreed to meet the CRC standards and abide by the corresponding obligations. It was an important and encouraging commitment. By ratifying the CRC, Viet Nam agreed to align legislation, policy and practice with the CRC standards; to transform the standards into reality for all children; and to abstain from any action that may preclude the enjoyment of those rights or violate them. Viet Nam also agreed to report periodically to a committee of independent experts on their progress to achieve all of the rights for children.

In the subsequent two decades, the Government of Viet Nam's commitment to children's rights has been evidenced through practical action, and Viet Nam has made significant progress towards accomplishing the commitments set out in the CRC. The international community has observed the positive outcomes that have been achieved for Viet Nam's children, particularly in terms of access to education, improvement in health and an unprecedented reduction in child poverty<sup>12</sup>.

Viet Nam has also taken important steps to towards achieving the fundamental rights to protect children from sexual exploitation and trafficking including:

**Article 19** *The right to protection from all forms of violence, abuse and neglect.*

**Article 34** *The right to protection from all forms of sexual exploitation and abuse.*

**Article 35** *The right to protection from being sold, abducted or trafficked.*

On the international stage, Viet Nam has been an active participant in the global commitment to combat commercial sexual exploitation of children, and was amongst the first countries to sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography in 2001<sup>13</sup>. The status of Viet Nam's ratification of international laws and conventions relating to CSEC is listed at Annex 4.

The Government of Viet Nam also participated in each of the three World Congresses to Prevent the Sexual Exploitation of Children and committed to the corresponding declarations and outcomes of each event:

- ▶ The Stockholm Declaration and Agenda for Action (1996)
- ▶ Yokohama Global Commitment (2001)
- ▶ The Rio Declaration and Call to Action (2008)

11 Sourced from 'Frequently Asked Questions about the CRC', Available at: [http://www.unicef.org/crc/index\\_30229.html](http://www.unicef.org/crc/index_30229.html) [Accessed 11 June 2011].

12 UNGA (May 2011), Report of the Independent Expert on the Question of Human Rights and Extreme Poverty (Viet Nam), A/HRC/17/34/Add.1

13 UN (2002), op. cit.

At the regional level, bilateral agreements have been signed and efforts to improve cross-border cooperation have been undertaken. Viet Nam has also been an active partner in ASEAN and Mekong initiatives to collaboratively address child sexual exploitation.

Important changes have resulted at the national level. Children's protection from sexual exploitation has been enshrined in legal frameworks and addressed in corresponding national policies. The investment of financial and human resources has increased to tackle emerging evidence of CSEC. Key duty bearers have been assigned responsibilities in accordance with the child protection continuum with particular attention to prevention, protection and recovery and reintegration<sup>14</sup>. Most recently, the Government has launched the National Program for Child Protection 2011-2015 (NPCP) which adopts a systems-based approach to child protection.

However, Viet Nam's children continue to experience commercial sexual exploitation through the deplorable abuses of prostitution, sex trafficking, sex tourism, pornography or a combination of these abuses. As the Government recently acknowledged in its Directive On Strengthening Protection and Care of Children<sup>15</sup>, several children's rights have not been well realised, and the desired targets relating to the sexual exploitation of children have not been achieved.

In order to respond effectively, it is critical to understand the current experiences of Viet Nam's children and their experiences as commodities in sexual transactions. UNICEF is committed to supporting the Government of Viet Nam in developing a clearer picture of the situation of CSEC and implementing appropriate responses which will advance children's protection from sex trafficking, prostitution, sex tourism and pornography.

## OBJECTIVES

UNICEF and DSEP (MOLISA) have jointly initiated this national study to investigate the CSEC situation and provide the Government with updated information which supports future action to protect children from CSEC.

The main objectives of this Situational Analysis articulated by DSEP (MOLISA) and UNICEF were to:

- ▶ Collect information on the prevalence, nature and manifestations of CSEC in Viet Nam;
- ▶ Investigate the experiences of child victims;
- ▶ Provide appropriate opportunities for children and key respondents to participate in the research;
- ▶ Examine the profile and modus operandi of CSEC offenders;
- ▶ Explore emerging trends and their implications for the future;
- ▶ Conduct a causal analysis and examine risk factors contributing to CSEC;
- ▶ Review legal and policy frameworks relating to CSEC;
- ▶ Identify key stakeholders applying interventions to address CSEC;
- ▶ Assess gaps in service delivery across the child protection continuum; and
- ▶ Recommend actions to address CSEC and improve children's protection.

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14 *The Stockholm Agenda for Action prescribes to a 'continuum of child protection services' which include the five focal areas of coordination, prevention, protection, recovery and reintegration and child participation. These elements were further endorsed in the Rio de Janeiro Declaration and Call to Action (2008).*

15 *Socialist Republic of Viet Nam (Sep 2009), Directive On Strengthening Protection and Care of Children 1408/CT-TTg, Hanoi, Viet Nam.*

This study aims to build Viet Nam's progressive and proactive approach to CSEC to adequately protect Viet Nam's children and improve practical efforts to combat commercial child sex crimes in the future. The research will address key questions about commercial child sex including: Who are the victims? Where are they located? What forms of exploitation do they experience? What makes them vulnerable? Who are the exploiters? Who is responding? What interventions exist? What have we learned? What interventions do we need? How can we better protect children and combat CSEC?

This research builds upon the first comprehensive study on CSEC which was jointly undertaken by UNICEF and MOLISA in 2005<sup>16</sup>. While the findings of the 2005 study were not published, it has been an important reference in the preparation of this research.

## METHODOLOGY

### HUMAN RIGHTS-BASED APPROACH

In accordance with the commitment of the Government of Viet Nam to better respect and protect human rights, including children's rights<sup>17</sup> and aligned with The UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming<sup>18</sup> this study adopted a human rights-based approach to investigate the situation of CSEC in Viet Nam.

This approach respects that children are 'rights-holders' with legitimate claims to protection from sexual exploitation and trafficking in accordance with Articles 19, 34 and 35 of the CRC, and it examines the factors which prevent children from achieving these rights. In turn, it reviews the correlative obligations of 'duty-bearers' (including the State, other agencies and families) to protect children from sexual exploitation including prostitution, trafficking and pornography.

Accordingly, this study adopted the key steps in the UN's conceptual framework<sup>19</sup> for child rights programming and applied the fundamental human rights principles of participation, non-discrimination, accountability and respect for children's voices across all levels of the research process. The integrity of this approach was upheld by the Government of Viet Nam who supported all efforts to examine CSEC issues from a human rights-based perspective<sup>20</sup>.

### RESEARCH METHODS

*Research on child trafficking and sexual exploitation is challenging because of the complex, clandestine, sensitive and changing nature of the practice itself. Information must be gathered from many different sources, official statistics and beyond; this data must be validated; linkages and explanations need to be developed and tested; and conclusions and lessons must be considered in consultation with stakeholders.<sup>21</sup>*

Respecting the complications of researching sexual criminal issues in Viet Nam, the study applied multiple research methods which involved the following process:

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16 Fitzgerald, P. (2005), *The Sexual Exploitation of Children in Viet Nam, for MOLISA and UNICEF, Ha Noi, Viet Nam* (unpublished).

17 Socialist Republic of Viet Nam (2008), *Third and Fourth Country Report on Viet Nam's Implementation of the United Nations Convention on the Rights of the Child in 2002-2007 Period, Ha Noi, Viet Nam*, p. 13.

18 UNDP (2003), *The UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming*, Available at: [http://hrbportal.org/?page\\_id=2127](http://hrbportal.org/?page_id=2127), [Accessed 14 Jun 2011].

19 Available at: [http://hrbportal.org/?page\\_id=3173](http://hrbportal.org/?page_id=3173), [Accessed 7 May 2011].

20 The Government's support of human rights based approaches has been documented by Volkmann, C.S. (2005), *The Application of the Human Rights-Based Approach to Programming into the Common Country Assessment of the United Nations in Viet Nam: A Case Study, in Lessons Learned from Rights-Based Approaches in the Asia-Pacific Region*, OHCHC, Bangkok, Thailand.

21 UNICEF Innocenti Research Centre (2005), *Trafficking for Sexual Exploitation and other Exploitative Purposes: Some Preliminary Findings of Research, Florence, Italy*, p. 2.

- ▶ Undertaking a comprehensive Desk Review;
- ▶ Meeting with key stakeholders from Government (national and foreign), UN Agencies, NGOs, academics and private sector stakeholders;
- ▶ Appointing a research team and conduct a Research Preparation Workshop;
- ▶ Conducting Field Assessments in five provinces to engage key respondents;
- ▶ Conducting onsite observations; and
- ▶ Issuing a national quantitative survey to all provinces.

## **Desk Review**

Conducting a Desk Review was the first important step in understanding what was already known about CSEC in Viet Nam. However, despite the growing prevalence of CSEC cases in the media and the number of agencies responding to child sexual exploitation in Viet Nam, very little formal research was available. This reflects the global experience:

*The commercial sexual exploitation of children (CSEC) is a societal phenomenon receiving growing attention from researchers, policy makers, and a wide array of advocates. Unfortunately, it is an issue fraught with mystery, misconception, and a general lack of scientific data.<sup>22</sup>*

In terms of the availability of recent empirical research, the Desk Review revealed:

- ▶ Of all available research on CSEC, child sex trafficking is the most highly examined topic. Most research on trafficking concentrates on cross-border trafficking. Little information is available regarding internal trafficking of children for sexual purposes or child prostitution.
- ▶ The most significant study on child prostitution (commissioned by the ILO) is now ten years old.
- ▶ Research on child sex tourism and particularly child pornography is in its infancy and comprehensive studies have not yet been undertaken.

The full Desk Review is available as a separate publication; however the key findings are referred to in each relevant section of this report.

## **Stakeholder Meetings**

Given the limited availability of formal published research, meetings were conducted with 55 key stakeholders (including Government Ministries, UN Agencies, Non-Government Organisations, Diplomatic Missions and academics) who generously shared relevant information including annual reports, data, case studies, project reports, handbooks, laws, policies and websites. Combined with the available literature, this information contributed to the baseline and assisted in identifying key information gaps, selecting field assessment locations, highlighting emerging trends, confirming the methodology and finalising the scope of the study.

## **Research Team**

A research team was selected to conduct field assessments in five locations. All team members had previous experience in research and interviewing children in difficult circumstances. The research team included an international and a national consultant with specialist expertise in CSEC and child

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<sup>22</sup> *The Shapiro Group (2010), Adolescent Girls in the United States Sex Trade: Tracking Study Results for May, 2010, The Women's Funding Network, United States, p. 3.*



protection in Viet Nam and the broader ASEAN region. The team was supported by specialists from UNICEF’s child protection unit and experienced researchers from DSEP (MOLISA). A Research Preparation Workshop was conducted before the field assessments to promote consistency in the application of qualitative research tools (particularly the conduct of focus group discussions and semi-structured life-story interviews). Special attention was paid to the ethical guidelines for interviewing children.

## **Multiple Method Approach**

Examining the sensitive issue of CSEC requires a combination of qualitative and quantitative research methods. While quantitative data can provide numerical insights into the CSEC situation, the current absence of a formal data collection system in Viet Nam diminishes the value of State-gathered statistics. As a result, qualitative methods play a critical role in providing detailed truths about the experiences of children. While many would prefer not to know the disturbing reality of CSEC, duty bearers and practitioners have a responsibility to understand the situation in order to effectively respond. Subsequently, qualitative information is critical to this study.



Research Preparation Workshop – Ha Noi.

## **Field Assessments**

Qualitative information was collected in one-one-one interviews and focus group discussions with 566 respondents in five field assessment locations which included the provinces of Ha Noi, Ho Chi Minh City, An Giang, Lao Cai and Khanh Hoa.

A summary list of key respondents is provided at Table 1. A detailed chart outlining the research methodology and target groups is included at Annex 1.

**Table 1: Key Respondents by Province**

Location	Vietnamese Government	Child Victims	Rehabilitation Centre Staff	Children at Risk	Parents Families	CSEC Informants	UN, NGOs, Academics, Int. Govts.	TOTAL
Lao Cai	17	7	16	14	1	9	5	69
An Giang	22	4	10	12	2	18	4	72
HCMC	5	17	44	16	10	50	9	151
Ha Noi	41	9	15	8	4	12	50	139
Khanh Hoa	20	17	41	13	8	39	-	135
<b>TOTAL</b>	<b>105</b>	<b>51</b>	<b>126</b>	<b>63</b>	<b>25</b>	<b>128</b>	<b>68</b>	<b>566</b>

Focus group discussions were arranged with Provincial Authorities, and staff working in rehabilitation centres to provide an open forum for discussing experiences and opinions relating to CSEC. These formally arranged focus group discussions involved a combination of group activities and individual questionnaires. Where it was deemed suitable, focus group discussions were also conducted with separate target groups of children at risk, street children, male sex workers, parents and peer educators.

One-on-one interviews were conducted with those respondents who required privacy and anonymity.

This was a particularly useful setting for interviewing child victims of CSEC, in which cases, semi-structured, life-story interviews were conducted. During these interviews, children were invited to choose the preferred setting for their interview including the location, the seating position, whether or not their story would be documented, and whom they wished to accompany them (friend, co-worker or shelter staff). While children were encouraged to terminate the interview at any point, the researchers consistently observed the willingness of children to speak freely and at length about their experiences and, while many had difficulty envisioning their own future, they were frequently able to articulate strong recommendations to prevent other children entering CSEC.

51 child victims of CSEC willingly participated in interviews during the field assessments. While it is important to recognise that child victims often experience multiple forms of commercial sexual exploitation, the primary type of CSEC experienced by each of the participants is listed in Table 2:



Rehabilitation Centre Staff participating in a focus group discussion.

**Table 2: Child Victims – CSEC Type**

Type of CSEC	Currently engaged in CSEC	Currently in 05/06 Centre	Currently in Government NGO Shelter	Total
Child prostitution	22 girls 5 boys	5 girls	-	32
Children trafficked for sexual purposes (cross-border)	-	-	14 girls	14
Children trafficked for sexual purposes (inside Viet Nam)	4 girls	1 girl	-	5
			<b>TOTAL</b>	<b>51</b>

### **On-Site Observations**

Members of the research team also conducted observational visits to sites that were identified as CSEC hotspots. This included visits to parks, karaoke bars, massage shops, cafes and border points.

### **Quantitative Methods**

It is important to clarify that it is not the purpose of this report to provide a definitive numerical figure of CSEC victims or offences in Viet Nam. As acknowledged by UNICEF Innocenti Research Centre (IRC):

*In spite of the growing attention being given to this phenomenon around the world, the numbers of sexually exploited children cannot, in truth, be determined with precision.<sup>23</sup>*

While it is not possible in any country to quantify the number of child victims of CSEC, certain data can provide indicative pointers to the magnitude, emerging trends and key problem areas of CSEC. Accordingly, this study attempted to collect data which could provide helpful (although not nationally representative) insights into the CSEC situation. Efforts were made to determine the availability and content of data from the following sources:

- Data and statistics from previous research conducted by UN Agencies and NGOs;

<sup>23</sup> From Keynote Presentation by Santos Pais, M. in UNICEF Innocenti Research Centre (2008), Report of the Expert Consultation Meeting in Preparation for World Congress III Against Sexual Exploitation of Children and Adolescents, Florence, Italy.

- ▶ Quantitative analysis of measurable repetitions in qualitative information collecting during interviews with child victims of CSEC, Provincial Authorities, and staff working in rehabilitation centres in five provinces; and
- ▶ Quantitative Surveys issued by DSEP (MOLISA) to Provincial and Central Government Authorities.

With respect to the latter, DSEP (MOLISA) issued a quantitative survey to Provincial Authorities requesting statistical information relating to CSEC in the five year period from 2006-2010. While surveys were submitted by 43 of the 63 provinces (68 per cent), only 22 provinces (32 per cent) reported the incidence of CSEC (six provinces reported cases of child sex trafficking, ten provinces reported cases of child prostitution and another six provinces reported the incidence of both child sex trafficking and child prostitution). And, although the reliability of the submitted data is questionable due to the absence of a reliable data collection system, these provinces are to be commended for their provincial-level record keeping and willingness to share important statistics. Data held by Central Officials proved more useful, particularly the detailed statistics provided by Border Guards, the Viet Nam Administration of Tourism and the Child Helpline.

## RESEARCH LOCATIONS

Five of Viet Nam’s 63 provinces were selected for the field assessment component of the research. The determination of specific provinces was based on the findings of the Desk Review and consultations with 55 respondents from Government, UN Agencies, NGOs, Diplomatic Missions and academia. A justification of the research locations is listed in Table 3. A Provincial Map of Viet Nam is provided at Figure 1.

**Table 3: Selection of Research Locations**

Province	Reason for Selection
<b>Ha Noi</b>	Ha Noi is the political capital and second largest city in Viet Nam. Police intelligence and previous data suggested that child prostitution, child sex trafficking and child sex tourism and child pornography activities are occurring in Ha Noi.
<b>Ho Chi Minh City</b>	Ho Chi Minh City is the largest city in Viet Nam. Often referred to as the commercial capital, all four types of CSEC were reportedly being perpetrated in HCMC.
<b>Lao Cai</b>	Lao Cai is in the northern mountainous areas of Viet Nam and shares a border with China’s Yunan Province. Child sex trafficking has been increasingly reported across the Chinese border. In the past decade, tourism has increased in Lao Cai due to growing domestic and foreign interest in the ethnic minority communities in the mountainous areas including Sapa. Lao Cai has a sizable population of ethnic minority people who are particularly vulnerable to exploitation, including CSEC.
<b>Khanh Hoa</b>	Khanh Hoa is located on the southern central coast of Viet Nam. The provincial capital, Nha Trang, is a popular beach destination for local and foreign tourists. The increasing number of tourists has heightened concerns about the incidence of child sex tourism in Nha Trang and broader areas of the province.
<b>An Giang</b>	An Giang is located in the south western Mekong Delta region. An Giang shares a border with Cambodia. Evidence particularly pointed to the cross-border movement of children from An Giang to Cambodia for sexual purposes.

## RESEARCH ETHICS

The research adopted strict ethical terms which were guided by UNIAP's Guide to Ethics and Human Rights in Counter-Trafficking.<sup>24</sup> Particular attention was paid to the inclusion of children, and the research team adopted a set of 'Ethical Considerations for Interviewing Children' which included guidelines for informed consent, confidentiality and anonymity. Each member of the research team held previous experience in child-focused research. Introductions to child victims were facilitated by previous and current sex workers, HIV/AIDS peer educators and staff working in rehabilitation centres, and considerable effort was taken to ensure children were engaged in suitable, meaningful and 'un-staged' methods.



Focus Group Discussion with children at risk of CSEC.

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<sup>24</sup> UNIAP (2008), *Guide to Ethics and Human Rights in Counter-Trafficking: Ethical Standards for Counter-Trafficking Research and Programming*, Bangkok, Thailand.

Figure 1: Viet Nam Provincial Map



## RESEARCH LIMITATIONS

The research team encountered the following limitations and challenges:

- ▶ The interviews conducted by the research team reflect a small scale sample of target groups in five provinces. While the findings provided useful insights into particular experiences, they do not intend to represent the larger population or the national situation<sup>25</sup>.
- ▶ Viet Nam lacks a reliable data collection system. Data is not disaggregated on the basis of age, gender or ethnic group, and does not classify crimes according to the internationally prescribed definitions of CSEC. This made it difficult for authorities to provide meaningful data on the number of children who have been sexually exploited through activities such as prostitution, trafficking, pornography and sex tourism.
- ▶ CSEC terminology presented some confusion as Viet Nam's legal frameworks relating to child sexual exploitation do not follow the internationally prescribed definitions of CSEC. The meaning of child prostitution, child sex trafficking, child sex tourism and child pornography had to be explained to key respondents.
- ▶ Time constraints determined that it was only possible to conduct field assessments in five selected provinces. The findings should not be interpreted to mean that CSEC is only occurring in the provinces that were under examination. No province is immune from the incidence or risk of CSEC.
- ▶ While valued assistance was provided by Central Government Authorities who spoke openly about CSEC, Provincial Government Authorities demonstrated a reluctance to share information. There are multiple explanations, including reputational considerations and lack of exposure, awareness, interest or confidence.
- ▶ Unlike other fundamental rights contained in the CRC, children's rights to protection from sexual exploitation and trafficking involve a criminal element. So, compared with children's rights to health or education, their rights to protection from sexual exploitation, abuse and being sold, abducted or trafficked (as contained in Articles 19, 34 and 35 of the CRC) are complicated by their intrinsic connection to criminal behaviour by adults. This contributes to the difficulties of identifying and measuring CSEC.

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<sup>25</sup> Available at: <http://en.wikipedia.org/wiki/File:VietnameseProvincesMap.png> , [Accessed 17 July 2011].

## COUNTRY PROFILE <sup>26</sup>

Viet Nam lies on the eastern-most peninsula of South East Asia's mainland. Land borders connect Viet Nam to Cambodia (sharing a 1,228km border), Lao PDR (sharing a 2,130km border) and China (sharing a 1,281km border). Viet Nam's coastline is 3,260km and borders the Eastern Sea, the Gulf of Tonkin and the Gulf of Thailand.

Ha Noi, the national capital, is located in the north of the country. Ha Noi is second largest city and the seat of the Central Government. Established in 1930, the Communist Party of Viet Nam has continued to rule the country for the past 80 years. Ho Chi Minh City (formerly known as Saigon) is located in the south. Ho Chi Minh City is the country's largest city. Viet Nam has 54 ethnic groups of which the Kinh (also known as Viet) comprise almost 90 per cent of the population.

Viet Nam is one of the most disaster prone countries in the world. Susceptible to typhoons, tropical storms, floods, drought, seawater intrusion, landslides, forest fires and occasional earthquakes, the country faces a constant barrage of natural hazards.<sup>27</sup> Such hazards increase the vulnerability and risks for affected communities.

With a population of 88 million people, Viet Nam is the 13th most populated countries in the world<sup>28</sup>. Children (under 18 years old) account for approximately 31 per cent of the population. The growing proportion of male to female births is an emerging issue that requires attention in coming years. Table 4 charts the changing nature of Viet Nam's child population in the past six years:

**Table 4: Viet Nam Child Population** <sup>29</sup>

Measured in 1.000.	2005	2006	2007	2008	2009	2010 <sup>30</sup>
<b>Total Population</b>	83,120	84,137	85,155	86,211	85,790	87,927,700
<b>Children</b>	25,694	25,042	24,500	23,992	23,636	28,172
<b>Rate %</b>	30.9	29.7	28.7	27.8	27.5	31%
<b>Male</b>	13,336	13,767	13,289	12,819	12,621	N/A
<b>Female</b>	12,358	11,275	11,211	11,173	11,015	N/A

80 per cent of Viet Nam's land area is mountainous and approximately 35 per cent is densely forested. 70 per cent of the population lives in low-lying areas. The most populated of these areas are the Mekong Delta (south) and Red River Delta (north). The current distribution of children's population by region is specified in Table 5:

**Table 5: Viet Nam Child Population by Geography** <sup>31</sup>

	Red River Delta	North East	North West	North of North West	South of North West	Highlands	South East Plain	Mekong Delta
<b>% of total child pop'n</b>	16,34	14,01	3,77	14,60	9,52	5,56	16,17	20,03

<sup>26</sup> Information in this section is drawn from: <http://www.VietNamembassy.org.au/AboutVietNam.htm#Geography>, [Accessed 7 April 2011].

<sup>27</sup> Global Facility for Disaster Reduction and Recovery, Factsheet, Available at: <http://www.gfdr.org/docs/SnapshotsVietNam.pdf> [Accessed 27 May 2011].

<sup>28</sup> Available at: [http://www.nationsonline.org/oneworld/world\\_population.htm](http://www.nationsonline.org/oneworld/world_population.htm), [Accessed 21 Jun 2011].

<sup>29</sup> MOLISA (2011), National Program for Child Protection, Period 2011 – 2015, Ha Noi, Viet Nam, pp. 6-7.

<sup>30</sup> Available at: <http://www.unicef.org/infobycountry/VietNamstatistics.html>, [Accessed 18 June 2011].

<sup>31</sup> MOLISA (2011), op. cit. p. 7.

Since the economic reforms of the Doi Moi policy were introduced in 1986, Viet Nam's economy has rapidly improved. Since 1993, growth in real gross domestic product has averaged around seven per cent each year. The nation's poverty rate reduced from 58 per cent in 1993 to 13 per cent in 2008. The key drivers of economic growth have been international integration, market liberalisation and job creation in the private sector.<sup>32</sup> Rice production is a critical contributor to the economy, and Viet Nam is world's second largest exporter of rice. Table 6 provides a summary of Viet Nam's Key Demographic Indicators as compared with those of ASEAN Regional neighbours, Cambodia, Lao PDR and Thailand:

**Table 6: Key Demographic Indicators – Comparative Summary**<sup>33</sup>

Demographic Indicators	Viet Nam	Cambodia	Lao PDR	Thailand
Total Population (2010)	87,927,700	14,805,000	6,320,000	67,764,000
Population under 18 years old	28,172,000	6,036,000	2,832,000	17,902,000
% of population under 18 years old	31%	40%	45%	26%
Life expectancy at birth	75 years	62 years	65 years	69 years
% population living in urban areas	30%	20%	32%	34%
% of population below international poverty line	22%	26%	44%	<2%
Human Development Index Ranking <sup>35</sup>	115	126	124	92

Viet Nam's efforts to reduce poverty have been impressive, and the country is well on target to achieve most of the Millennium Development Goals. However, economic gains have not benefitted the entire population. The rapid shift to a market economy has increased pressure on families and children. The difficulties faced by children are exacerbated as the urban-rural divide expands; traditional family values are eroding; migration is increasing; and the gap between rich and poor continues to grow.<sup>35</sup> Fifty per cent of the population still live on less than US\$2 a day and many remain vulnerable to sliding back into poverty as a result of either economic shocks or natural disasters.<sup>36</sup> It is estimated that almost one-third of children under the age of 16 still live in poverty with unequal access to education, health, employment and social services. Based on the current population, this amounts to more than seven million children.<sup>37</sup> These factors critically influence children's vulnerability to CSEC.

32 Available at: <http://www.usaid.gov/country/country.cfm?CountryId=33>, [Accessed 5 June 2011]

33 Available at: [http://www.unicef.org/infoycountry/Viet\\_Nam\\_statistics.html](http://www.unicef.org/infoycountry/Viet_Nam_statistics.html), [Accessed 18 June 2011].

34 Available at: <http://hdr.undp.org/en/statistics/>, [Accessed 30 May 2011].

35 UNICEF Viet Nam (2010), *op. cit.*, p. 23.

36 Available at: <http://www.usaid.gov/country/country.cfm?CountryId=33>, [Accessed 5 June 2011].

37 UNGA (May 2011), *op. cit.*, p. 11.



## SITUATION OF CHILDREN – 2010

Children’s rights are indivisible. And, as children’s rights are inherently interconnected, the accomplishment or denial of any right has direct implications on other rights. With this in mind, it is necessary to understand the context of children’s access to their rights in Viet Nam.

In collaboration with the Government of Viet Nam, UNICEF Viet Nam recently published ‘An Analysis of the Situation of Children in Viet Nam 2010’.<sup>38</sup> This analysis provides a valuable examination of children’s access to all rights. Furthermore, MOLISA recently released the ‘National Program for Child Protection (2011-2015) which provides complementary data on children’s situation in Viet Nam. The findings of both documents are summarised below to provide a point of reference during the subsequent analysis of CSEC in Viet Nam:

**Table 7: Collated Data on the Situation of Children in Viet Nam**<sup>39</sup>

Indicator	Situation of Children in Viet Nam
<b>General</b>	<ul style="list-style-type: none"> <li>• 88% of children under 5 years old have been registered at birth, but children are less likely to be registered in the two poorest regions (North West and Central Highlands).</li> <li>• In 2011, MOLISA estimated 2.75 million children are living in special circumstances.</li> <li>• According to studies by VHLSS and MICS, one third of children under 16 can be identified as poor.</li> <li>• More children living in rural areas experience poverty (about 40%) than those in urban areas (10%).</li> </ul>
<b>Health</b>	<ul style="list-style-type: none"> <li>• It is estimated that one in every ten HIV-positive persons in Viet Nam is under 19 years old.</li> <li>• 1.2 million children are living with disabilities.</li> <li>• There are rising rates of substance abuse by young people in Viet Nam.</li> </ul>
<b>Education</b>	<ul style="list-style-type: none"> <li>• 93.5% of the population over 15 years old is literate.</li> <li>• The primary school enrolment rate was 96% in 2006.</li> <li>• Life skills education has been piloted by MOET, mass organisations and community-based youth clubs to raise awareness of children’s rights.</li> <li>• The government recognises there are major obstacles for some segments of the population in accessing education, particularly for ethnic minority children and children living with HIV.</li> <li>• The cost of education has increased significantly, making it less accessible.</li> <li>• Ethnic minority girls have the lowest school enrolment/attendance and the highest drop-out rate.</li> </ul>

<sup>38</sup> Available at: [http://www.unicef.org/infobycountry/Viet\\_Nam\\_statistics.html](http://www.unicef.org/infobycountry/Viet_Nam_statistics.html), [Accessed 18 June 2011].

<sup>39</sup> The information in this table is summarised from the following key sources: 1. UNICEF Viet Nam (2010), *op.cit.*; 2. MOLISA (2011), *op.cit.*; 3. UNDP (2011), *State of the World’s Children 2011 – Factsheet Series*, Available at: <http://www.un.org.vn/en/publications/un-wide-publications.html>.

Indicator	Situation of Children in Viet Nam
<b>Employment</b>	<ul style="list-style-type: none"> <li>• 151,000 children under 12 years old are engaged in economic activity.</li> <li>• Children in rural areas begin working as young as six years old.</li> <li>• MOLISA estimated that 27,000 children are engaged in some form of work.</li> <li>• Teenagers are increasingly leaving the educational system early and seeking work.</li> <li>• The highest proportion of working youth is in the Northern Midlands and Northern Mountainous regions.</li> </ul>
<b>Migration</b>	<ul style="list-style-type: none"> <li>• Migration flows within Viet Nam are dominated by young people aged 15-24 years old.</li> <li>• The majority of internal migrants are female.</li> <li>• Young migrants tend to migrate to mainly urban areas.</li> <li>• Many young migrants are especially vulnerable to economic and sexual exploitation and drug abuse which puts them at risk of HIV infection.</li> <li>• Male migrant workers (16-26 years old) are engaging in high levels of injecting drug use and sex work</li> </ul>
<b>Protection</b>	<ul style="list-style-type: none"> <li>• Of children and adolescents who run away from home, most are escaping domestic violence.</li> <li>• 14,465 children were reported in conflict with the law in 2009.</li> <li>• In 2009, it was estimated that 20,000 children were living in public or private institutions.</li> </ul>
<b>Participation</b>	<ul style="list-style-type: none"> <li>• Viet Nam's young people are more formally educated, more empowered, more globally integrated and more consumer-minded than previous generations.</li> <li>• 68% of children (aged 14-25 years old) feel they are listened to by their parents.</li> <li>• Language barriers hinder children from ethnic minorities from fully accessing information.</li> </ul>

Recent data regarding children's awareness, perceptions and experiences relating to sex also help to frame the contemporary understanding of CSEC in Viet Nam:

**Table 8: Collated Data Regarding Child Sex in Viet Nam** <sup>40</sup>

	Situation of Children in Viet Nam	
What data is available regarding child sex?	<ul style="list-style-type: none"> <li>• Both boys and girls under 18 years of age are involved in commercial sexual activity.</li> <li>• Between 2003 – 2003 it was estimated that 14% of sex workers were under 18 years old <sup>41</sup>.</li> <li>• Child sexual abuse within the family context is a growing and significant concern.</li> <li>• Studies on adolescents in labour and social education institutions indicate a high rate of early sexual experience among this group with as many as 40 % indicating sexual activity before they were 16 years old.</li> <li>• The average age of victims of child sexual abuse is 12 years old.</li> <li>• 37% of young people who participated in the SAVY II Survey believed that pre-marital sex is acceptable in some circumstances.</li> <li>• The abortion rate among adolescents is 2.2% of all recorded abortion cases in 2010.</li> <li>• Young people’s knowledge about condoms is high. 95% of surveyed girls and 95% of surveyed boys recognized that condoms can prevent pregnancies, HIV and STIs.</li> <li>• About one third of young people have difficult access to reproductive health care and counselling services.</li> <li>• Only 3.7% of male young people surveyed engage in sex with sex workers (SAVYII).</li> </ul>	

<sup>40</sup> The information in this table is summarised from the following key sources: 1. UNICEF Viet Nam (2010), *op.cit.*; 2. MOLISA (2011), *op.cit.*; 3. UNDP (2011), *State of the World’s Children 2011 – Factsheet Series*, Available at: <http://www.un.org.vn/en/publications/un-wide-publications.html>.

<sup>41</sup> MOLISA and UNICEF Viet Nam (2007) *Assessment of HIV/AIDS Vulnerability, Response, and STI/HIV Prevention, Care and Support*, Ha Noi, Viet Nam.

## SECTION TWO – RESEARCH FINDINGS

### IMPORTANT QUALIFICATIONS

It is important that the research findings are interpreted with the following qualifications:

- ▶ The research findings include reference to quantitative data from official sources. However as Viet Nam lacks a systematic data collection system for CSEC, the figures are not conclusive.
- ▶ The research findings intend to provide an insight into CSEC in five provinces in Viet Nam. The findings do not claim to be representative of the national situation.
- ▶ The examination of five locations is due to limitations of time and budget. That particular provinces or districts are not mentioned in this report is not indicative that CSEC is not occurring there. Likewise, the examination of the five researched provinces is not indicative that CSEC only occurs in these provinces.
- ▶ Vietnamese age calculations often follow the traditional Asian system that considers a child one year old at birth. In an attempt to denote children’s age based on international standards (where a child turns one year old twelve months after birth), the research team sought to determine children’s age by their year of birth or according to their lunar zodiac sign (a common point of reference in Viet Nam). However, given the common practice of adding an extra year to one’s age, it is likely that the data overestimates children’s ages in some instances.
- ▶ To protect children’s identities, no real names are used in this report.

## CHILD PROSTITUTION

### Key Findings:

- ▶ Child prostitution is occurring in Viet Nam. Girls and boys are at risk of this form of exploitation.
- ▶ While girls' involvement in prostitution is more visible (through official records and observational research), boys are also involved in prostitution.
- ▶ Compared with five years ago, children are entering prostitution at younger ages.
- ▶ MOLISA estimates that 14 per cent of prostitutes are under 18 years old (2003-2008).
- ▶ There is evidence that some children begin working at 12 years old and younger. The most commonly observed age for children entering prostitution is 14-15 years old.
- ▶ Most child victims experience cumulative harm before they become involved in prostitution (primarily linked to their family situation, financial difficulties, various abuses and lack of access to services).
- ▶ Children enter prostitution through force, deception and decisions which are intertwined with their personal situation.
- ▶ Vietnamese and foreigner customers engage in sex with children. Women and men both engage in sex with children and broker arrangements for children's prostitution in Viet Nam.
- ▶ Prostitution is against the law in Viet Nam. However, legal provisions currently allow children aged between 16-18 years old to be administratively sanctioned for their involvement in prostitution.

It is possible to purchase sex with girls and boys in Viet Nam. Child prostitution is the most prevalent form of CSEC; however, while there has been a solid body of research on trafficking-related prostitution in the past decade, there has been very little investigation of child prostitution which is not linked to trafficking. As a result, much of the formal research specifically investigating child prostitution is now ten years old. Official statistics relating to child prostitution are unreliable for a range of complex reasons including complications with the legal definitions, the non-disaggregation of data, and the invisibility of children's engagement in prostitution. With respect to these limitations, methodical triangulation has been applied in an attempt to secure quantitative data and qualitative information from multiple sources regarding the situation of child prostitution in Viet Nam.

### WHAT DO WE KNOW ABOUT THE MAGNITUDE OF CHILD PROSTITUTION?

MOLISA recently released figures which suggest that of the 31,000 sex workers estimated to be working in Viet Nam in between 2003 – 2008, 14 per cent were children under 18 years old. Based on figures collected through official channels in 2003, this figure represents a 0.9 per cent increase in total prostitution numbers<sup>42</sup>. While these figures include an element of speculation, crime statistics provide further insights. Binh Trieu Reception Centre is a holding centre for people accused of drug and prostitution crimes in Ho Chi Minh City. In the past two years, approximately seven per cent of the prostitution cases registered at Binh Trieu have involved children under 18<sup>43</sup>. No data is available for the number of children under 16 years old who are detected by authorities, and no official data is available from MPS.

<sup>42</sup> MOLISA (2008), *op. cit.*, pp. 18-19.

<sup>43</sup> Interview conducted with Binh Trieu Centre.

Of the 43 provinces that responded to a DSEP (MOLISA)-issued qualitative survey in 2011, only 16 provinces reported the occurrence of child prostitution in their provinces in the past five years. In 2010, only ten provinces reported detecting cases of child prostitution involving a total of 41 child victims. However, while there were strong anecdotal and observational indicators that child prostitution was occurring in each of the five provinces selected for the field assessments, only one of those provinces (Ha Noi) had officially reported cases of child prostitution in the past five years. In a joint MOLISA/ UNICEF study in 2009<sup>44</sup> it was acknowledged that:

*Due to the covert nature of children engaged in prostitution, it is impossible to determine . . . the actual numbers of young people and other actors involved.*<sup>45</sup>

Nevertheless, many respondents reported observational findings that child prostitution is increasing:

*In recent years we have seen that child prostitution becomes complicated, varied, discreet, disguised in massage parlours, entertainment centres. It is on the rise, and victims tend to be younger. (Focus Group Discussion with Social Protection Centre Staff, Khanh Hoa)*

The invisibility of child prostitutes was frequently mentioned by respondents. Former sex workers reported that some premises have special exits to allow easy escape for the under-aged girls when the police conduct surveillance. Other respondents corroborated this information:

*The government has a circular which lists the names of the enterprises where children are not allowed to work, like massage shops. To get around the Decision, the enterprises use fake identity cards for children. They also set up the network of cameras and alarm system and design secret rooms in the top of the building. When an inspection team arrives, they set the alarm and the children can climb up to the room and hide there or climb to the next building and immediately escape. It's very common that the enterprises do this in Ho Chi Minh City. (Interview with DSEP, HCMC)*

While issues of visibility partially explain the lack of information at the provincial level regarding child prostitution, the complex underlying factors will be examined in later sections of this report.

Despite the lack and inconsistency of official data, interviews and observational research indicated the issue of child prostitution is widespread, not just in the five provinces, but nationwide. Child prostitutes were observed and interviewed in public places in Ha Noi, Ho Chi Minh City and Khanh Hoa. Key informants (including xe om drivers, taxi drivers, lottery sellers and children at risk) confirmed that children are working as prostitutes in each of the five provinces including Lao Cai and An Giang:

*Child prostitution is going up in Sapa. Sometimes people don't want to talk about sex, so you don't hear much about this in public. But, we know because we're xe om drivers. Customers want to have sex with children and they ask us to drive them to the brothel. We know the girls who are working there are 14-16 years old. They are Vietnamese and ethnic girls. (Interview with Xe Om Driver, Sapa)*

*I know that there are child sex workers in this area, and the reason that I know is because they only hold one lottery ticket. They don't hold a lottery ticket for selling, they just hold one for the appearance of selling, but really so they can meet customers for sex. (Interview with boy lottery seller, 16 years old, Chau Doc)*

44 MOLISA and UNICEF Viet Nam (2009), *Creating a Protective Environment for Children in Viet Nam: An Assessment of Child Protection Laws and Policies, Especially Children in Special Circumstances in Viet Nam*, UNICEF, Ha Noi, Viet Nam.

45 MOLISA and UNICEF Viet Nam (2009), *Ibid*, p. 44.

## WHAT DO WE KNOW ABOUT THE CHILD VICTIMS OF PROSTITUTION?

### **Gender**

There is widespread acknowledgement that girls and boys are involved in prostitution in Viet Nam. Although there is more documentation of girls' involvement in prostitution, Government officials are aware that both girls and boys are both vulnerable to prostitution:

*Usually it's just girls, but there are a few cases of boys being victims of child prostitution. (Interview with MOJ, Ha Noi)*

*Although we have no data, we know from the cases that boys and girls under 18 years old are involved in prostitution. Most of the cases still involve girls. (Interview with DSEP, Ha Noi)*

In 2002, Le Bach Duong's Rapid Assessment into child prostitution<sup>46</sup> had difficulty locating boys engaging in prostitution, particularly in the north of Viet Nam. However, during the course of this study, the interviews revealed a recent proliferation of boys engaging in sex work. Whether there has been an increase in boys' involvement in prostitution or an increase in the visibility of boys' involvement is not possible to determine due to the lack of data. Five of the 31 children interviewed who were engaging in prostitution were boys (16 per cent). The four boys interviewed in Ho Chi Minh City were identified with the assistance of an HIV/AIDS Peer Educator. In addition to interviewing boy prostitutes, the research team also met with a group of four male sex workers aged between 18-22 years old to discuss the situation for boys who are under 18 years old. The majority of information regarding boy prostitutes related to Ho Chi Minh City and Ha Noi:

*I don't know how many boys are working in this park, but I saw many. (Interview with boy victim of prostitution, 16 years old, HCMC)*

Interviews with NGOs and children at risk also identified boys' involvement in the sex trade in An Giang and Khanh Hoa:

*There are boy sex workers here in Nha Trang. At one bar, they have a weekly MSM night which includes foreigners. (Focus Group Discussion with Peer Educators, Khanh Hoa)*

*A lot of people come here for gay sex. Some of my friends who are the same age as me go with the gay customers to the hotel. I don't know what they do because my friends didn't tell me in detail. I don't go. (Interview with male lottery seller, 16 years old, An Giang)*

Lao Cai was the only location where the research team was unable to locate evidence indicating that boys are involved in prostitution. While MOLISA identifies that male sex workers are 'men disguising as women to sell sex',<sup>47</sup> interviews with boy victims of prostitution and male sex workers identified that there is an increasing market for male sex with men (MSM). None of the boy or male sex workers used female disguises to procure business, but they were aware that this does occur.

### **Age**

Many official sources reported that the age of children involved in prostitution is becoming younger. In interviews with MPS and the Supreme People's Court, officials reported that prior to 2005 the majority of children were aged over 16 years old. However, in the past five years, both agencies identified that victims are mostly aged between 14-16 years old, with some as young as 12 years old<sup>48</sup>.

<sup>46</sup> Le Bach Duong (2002), *op. cit.*

<sup>47</sup> MOLISA (2008), *op. cit.*, p. 19.

<sup>48</sup> Interview with MPS in Ha Noi on 14 Dec 2010 and interview conducted with the Supreme People's Court on 24 Jan 2011.

*The age of child prostitution and child sex trafficking is decreasing. The perpetrators focus on juveniles from 14- 16 years old who are good looking and from remote, isolated areas where ethnic minority people live. (Interview with staff at the Peace House, Ha Noi)*

*Four or five years ago, we heard of prostitutes under the age of 16 years old in Nha Trang. Now victims tend to be younger, even 12 – 14 years of age. (Focus Group Discussion with Rehabilitation Centre Staff, Khanh Hoa)*

Save the Children Viet Nam, Blue Dragon Children’s Foundation, HealthRight, Thao Dan, and World Vision shared observational experiences from their community-based programs suggesting that the age of child prostitutes is becoming younger. The Alliance Anti-Traffic (AAT) Outreach Team reported that they encounter girls aged 14 -16 years old in prostitution in Ho Chi Minh City, although these girls are often hidden and are not easy to locate. The difficulty of determining children’s ages was noted by the police and by sex workers themselves:

*Sometimes we think the sex workers are 25-26 years old by their appearance, but in fact they are 15-16 years old. It is very difficult to recognise their age. (Interview with DPS, HCMC)*

*Girls now become mature earlier than in the past. It is quite difficult to observe whether the girls are over or under 18. (Interview with DOLISA, HCMC)*

The age of victims is often referred to in terms of customer demand, and many informants reported that younger girls are more popular amongst customers:

*Customers are seeking younger and younger children. Children aged 12-14 years old are involved, and it appears 14-15 year old girls are very popular. (Interview with Dr. Le Bach Duong, ISDS, Ha Noi)*

*Normally the customers choose the younger ones because they are more attractive. (Interview with female sex worker, 23 years old, Phu Nghia Centre)*

Of the 32 child victims of prostitution interviewed, 14 (44 per cent) commenced sex work when they were aged between 12-15 years old. Table 9 provides a summary of the age at which the interviewed children first became involved in prostitution:

**Table 9: Child Victims – Age when First Involved in Prostitution**

Age	Girls in Prostitution	Boys in Prostitution
8-9 years old	1	
12 years old	1	1
13 years old	1	
14 years old	6	1
15 years old	4	
16 years old	6	2
17 years old	6	1
18 years old	2	
Total	27	5

## **Family Situation**

The family situation of a child can have a significant influence on their entry into child prostitution. This will be examined in more detail in the causal analysis (Section Four). However, it is important to note that many child prostitutes experienced cumulative harm during their childhood. Amongst child victims there is a high incidence of family difficulties including financial problems, family debt, violence,



sexual abuse, substance abuse, death of a family member, parental divorce, illness of a family member, neglect, migration, unemployment, internet addiction and gambling addiction.

Research into child development and trauma reveals that cumulative harm, such as the compounding of negative factors in the family environment, can overwhelm the most resilient child and particular attention needs to be given to understanding the complexity of children's experiences<sup>49</sup>. Through the testimonies of children interviewed, the build-up of multiple factors can be seen as a precursor to many children's entry into prostitution:

*I felt distressed because my parents were divorced. I dropped out of school and I often went out late at night. There was one night when I was raped. My grandmother yelled at me, so I left home and went to downtown Nha Trang. My friend invited me to work at a Karaoke bar. Because I needed the money, I agreed to do sex work. (Interview with girl victim of prostitution, now 16 years old, Khanh Hoa)*

In two cases, children admitted there were no mitigating circumstances that were immediately linked to their family. Rather, they entered prostitution following a series of events that involved a need or desire for money and willingness to explore sexual options to support their livelihood. The structural, underlying and immediate causes of child prostitution will be examined in a more detailed causal analysis of CSEC in Section Four.

### **Home Province**

19 of the 32 children interviewed (60 per cent) were engaging in prostitution in a province other than their home province. Nationwide, there is evidence that children are increasingly moving from rural to urban areas where they become implicated in prostitution. MOLISA reported that 60 per cent of sex workers (adults and children) come from rural areas.<sup>50</sup> MOJ also reported on this trend:

*Before children were coming mainly from the city, but now they're coming from the rural and remote areas too. (Interview with MOJ, Ha Noi)*

No children reported that they moved to the city for the express purpose of prostitution. Rather, they indicated that they had been tricked, forced and, on occasions, made their own complex choices about commencing sex work for reasons that primarily relate to survival and income. Table 10 indicates the level of migration and the current working locations of the interviewed children:

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<sup>49</sup> Department of Human Services (2007), *Child Development and Trauma Guide*, Victoria, Australia, Available at: [http://www.cyf.vic.gov.au/\\_\\_data/assets/pdf\\_file/0013/43042/ecec\\_development\\_and\\_trauma\\_intro.pdf](http://www.cyf.vic.gov.au/__data/assets/pdf_file/0013/43042/ecec_development_and_trauma_intro.pdf), [Accessed on 26 April 2011].

<sup>50</sup> MOLISA (2008), *op. cit.*, p. 18.

**Table 10: Child Victims – Home Province**

Home Province	Working Location
Ha Tay Yen Bai Nam Dinh	Ha Noi
Kien Giang HCMC x 2 An Giang x 2 Benh Tre Dak Nong Ca Mau x 2 Chau Doc Binh Dinh Nghe An Ha Noi Binh Duong Don't know	HCMC
Khanh Hoa x 10 Phu Yen x 3	Khanh Hoa

The provinces of the Mekong Delta are prominent amongst the home provinces of children working in prostitution in Ho Chi Minh City. This was evident in the observations of key respondents in Ho Chi Minh City:

*Most of the child sex workers come from the western provinces. They come to Ho Chi Minh City to look for work. (Interview with Manager of Binh Trieu Centre – HCMC)*

*Children working in prostitution can come from all 63 provinces, but mainly from the Mekong Delta. These children migrate with their parents or alone. Their situation is mobile and changing all of the time. Often they go to the street instead of going to school. (Interview with DOLISA, HCMC)*

And while it was not indicated in the interviews with child victims in Khanh Hoa, the police in that province reported that most of the girls working in prostitution were registered in provinces in the Mekong Delta.

## WHAT DO WE KNOW ABOUT THE LOCATIONS WHERE CHILDREN ARE WORKING?

There are ethical considerations when reporting on the locations where child prostitution is occurring. While it is necessary to identify known locations to begin a process of supporting children, it not intended to promote these locations and thereby draw more child sex offenders to these hotspots. Therefore, the following disclosures are made with a commitment from Central and Provincial Authorities that efforts will be made to support children who are working in these areas.

The Government of Viet Nam provides some official data on the locations of reported and suspected cases of prostitution in Viet Nam. While this data does not disaggregate between adults and children, it does provide an insight into key locations. MOLISA reported that Ha Noi, Hai Phong, Ho Chi Minh City, Binh Duong, Can Tho, Dong Nai, Khanh Hoa, Thanh Hoa, Da Nang, Long An, Quang Ninh, Vinh Phuc and Tien Giang have a high incidence of prostitution for women and children<sup>51</sup>. Police records provided

<sup>51</sup> MOLISA (2008), *Ibid*, p. 19

by MPS add Hoa Binh, Ha Giang and Quang Nam to this list. MPS has also recognised that Ho Chi Minh City is a key location with approximately 20,000 women trading prostitution compared with 4,500 in Ha Noi.<sup>52</sup>

Official government reports identify the presence of child prostitution in 16 provinces in the past five years. Anecdotal information from Central and Provincial Authorities recognise the prevalence of child prostitution, but there are inherent difficulties in obtaining a clear picture. The internal certification system awarded by Government for those communes, precincts and districts deemed to have no prostitution could also serve to inhibit reporting. While no penalties are issued to those communes where prostitution is identified, the certification process for non-prostitution promotes the appearance of problem free districts rather than encouraging acknowledgement and effective responses to child prostitution.

In addition to official sources of information regarding children's locations, key informants including taxi drivers, xe om drivers, lottery sellers, cafe staff provided anecdotal information regarding locations where children were engaging in prostitution. Where possible, this information was followed up with on-site observation by the research team in each of the five research locations.

The geographic location of prostitution is closely interlinked with the mode of operation. For instance, MOLISA estimates that 35 per cent of prostitutes are working in public places while 65 per cent are working in businesses that are disguised as delivering other services (cafes, hair salons and karaoke bars).<sup>53</sup> Sexually exploited children were found working in a wide variety of locations such as brothels, hotels, guest houses, tea houses, beer bars, karaoke lounges, night clubs, traditional massage parlours, restaurants and coffee shops.

The research team found evidence to suggest that child prostitution is occurring in each of the five provinces included in this assessment. Girls and boys are engaging in prostitution in outdoor locations and indoor premises (hotels, cafes, massage salons and karaoke bars).

## **Ha Noi**

Police, children at risk, child victims and NGOs advised that child prostitution is available in karaoke bars, hotels, guest houses, cafes and private homes around Ha Noi. In 2010, the Provincial Police conducted investigations which resulted in arrests at 112 brothels; 12 hotels; 62 guest houses; 15 karaoke bars; two private homes; and 21 cafes. While figures are not available to identify the number of child victims located during these investigations, police confirm that children were working in some of the abovementioned premises. The Police also reported that Quoc Oai road is a well-known prostitution street.

During a focus group discussion with children at risk of CSEC, the children were highly aware of locations where adults can purchase sex with children. Phuc Xa, the Red River area, Chuong Duong Bridge, Nghi Tam area, Le Thanh Nghi Street, Bat Co and Bach Dang were all mentioned. Children at risk were also aware of local hair and beauty salons where children under 18 years old are available for sex. The Phuc Xa community members, the Police and children at risk identified the area surrounding Long Bien Bridge, particularly the Long Bien Market, as a key location where children gather when they are selling sex:

*Prostitution is located under the Long Bien Bridge (between Phuc Xa and Phuc Tan wards). Opposite Phuc Xa Church there are the guest houses where it appears that call girls are living. They are about 17-18 years old. The girls are from Thanh Hoa, Hung Yen, Phu Tho and Thai Nguyen. The police came and didn't let them stay there. (Focus Group Discussion with Community Members, Ha Noi)*

Outdoor prostitution has also been observed near some of Ha Noi's popular lakes and parks including Hoan Kiem Lake Thong Nhat Park. Young boys aged around 14 years old congregate around a lake nearby Ha Noi city where they meet mostly foreigners.

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<sup>52</sup> MOLISA (2008), *Ibid*, p. 18

<sup>53</sup> MOLISA (2008), *Ibid*, p. 19.

Two child victims shared that they had been working in Cau Giay Street:

*The guest house where we worked was in Cau Giay Street. There were many other guest houses the same in that street. I saw other girls working in the area. The youngest that I knew was 13 or 14 years old. The customers would stay from 30 mins to one hour. I usually worked in the late afternoon. But other girls were working at all times of the day. (Interview with girl victim of prostitution, now 17 years old, Ba Vi 05 Centre)*

## **Lao Cai**

While Lao Cai is a particularly prominent location for the cross-border trafficking of children to China for sexual purposes, the research team learned that child prostitution is emerging in Sapa. Located in the north-west of Lao Cai Province, Sapa is particularly mountainous and home to ethnic minority communities including the Hmong, Dao and Tay. Vietnamese and foreign tourism has grown rapidly in the past decade. Hotels, guest houses, home stays, restaurants, cafes and tourism businesses have burgeoned in response to the growing tourism trade. Child prostitution has also accompanied these changes. Interviews with restaurant staff, tour guides, xe om drivers and ethnic minority souvenir sellers revealed a high level awareness of child prostitution in Sapa.

While many respondents were reluctant to identify the specific locations where children are working, the individual interviews verified that children are mostly working in brothels that are disguised as guest houses. Xe om drivers and restaurant staff observed that girls aged between 14-15 years old are increasingly accessible for sexual purposes:

*The girls are very mobile. They have mobile phones and we know their numbers. So, if a customer wants a particular age or appearance, we phone the girls directly and make arrangements to meet them at a guest house. (Interview with Xe Om Driver, Sapa)*



Xe Om Drivers in Sapa City  
'Child prostitution is going up in Sapa.  
We know because we're xe-om drivers'

*In Sapa there are some hotspots for child prostitution. The children are mostly working in hotels and restaurants around Sapa City. When the customers approach me, they ask for girls who are young, good-looking and reasonable prices. 100 per cent of customers want girls. I've never been asked for boys. (Interview with Restaurant Staff, Sapa City)*

While there was no visible evidence that children are working outdoors, ethnic minority children indicated that they were aware that their friends were arranging sexual transactions during their encounters with men they met in the streets:

*We know a girl who sleeps with men in Sapa City. She gets money for doing it. She meets them around town while she is selling souvenirs and agrees to go back to their hotel with them. (Focus Group Discussion with Ethnic Minority Girls, Sapa)*

The research team was unable to meet directly with any child victims of prostitution in Lao Cai. The team was also unable to locate any information suggesting that boys are involved in prostitution in Lao Cai.

## **Khanh Hoa**

In Khanh Hoa Province, most cases of child prostitution are documented and observed in the provincial capital of Nha Trang. During a focus group discussion at the Khanh Hoa Rehabilitation Centre, the staff noted:

*Khanh Hoa is a good place for tourism development, the results of which lead to many kinds of services, including prostitution. In urban parts of Khanh Hoa, especially Nha Trang City, child prostitution is on the rise. Child prostitution exists in beer shops, bars, other service centres. (Focus Group Discussion with Rehabilitation Centre Staff, Khanh Hoa)*

While many community members and authorities were aware of the presence of child sex in massage salons and karaoke bars, children at risk identified that the prime locations for child prostitution in Nha Trang include Tran Nguyen Han Street and Tran Phu Street. The red-light area near the beach was also reported as a high risk area.

In addition to Nha Trang, Cam Ranh, Long Plain and Tri Nguyen Island were also identified as key destinations for child sex. Peer educators in Khanh Hoa also reported that children had been engaged in prostitution at the nearby port:

*Previously, our groups had access to child prostitutes from western provinces. They came here to do prostitution for the ship repairmen who were working for the ship building companies in Ninh Hoa. The children stayed in the nearby cafe shop. But now they are no longer there because the ship repairmen have already left. (Focus Group Discussion with Peer Educators, Khanh Hoa)*

## **An Giang**

Many sources identified that children from An Giang are working in prostitution in Ho Chi Minh City. And, due to its position on the Cambodian border, An Giang has experienced a high incidence of Vietnamese girls being trafficked to Cambodia for sexual purposes. But what is the situation of child prostitution within An Giang? While the Provincial Authorities were unaware of any child prostitution activities occurring within their province, they arranged interviews with key informants to enable the research team to learn more about the situation. Xe om drivers in Chau Doc openly shared their experiences:

*We have been working at the bus station in front of the People's Council for 12 years now. We wait for customers in front of this building every day. We see there are around 20 lottery sellers who are willing to provide prostitution. Most of the girls here are over 18 years old, but some are younger. The customers come and take them to a place about 20kms away near the Cam 'Forbidden' Mountain and Lam Vien Tourist Park. 80 per cent of the sex workers in these places are under 18 years old. They operate in a group of houses and six to seven work in each group. They mostly work in the evening. If you go to a coffee shop nearby, you can see the customers go in and out. Mostly, the customers are Vietnamese tourists. We take about four or five people there each month. (Interview with Xe Om Drivers, 44 and 46 years old, Chau Doc)*

Through their stories, the lottery sellers working in the centre of Chau Doc revealed that they face particular risk of child prostitution. A boy lottery seller reported that he is regularly approached by Vietnamese men seeking sex:

*There are some men who want to have sex with boys. They have approached me several times, they promised they will give me 50,000 VND (USD\$2.50)<sup>54</sup> which is one day's profit. But, I don't want to do that. (Interview with boy lottery seller, 16 years old, Chau Doc)*

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<sup>54</sup> This Situation Analysis was prepared between December 2010 and July 2011. During this time the exchange rate was equivalent to an average rate of VND 20,000 to USD\$1. The USD equivalent is included in the report in instances where monetary figures are recently relevant. Currency rates available at XE Currency Converter (online), Available at: <http://www.xe.com/>

A girl lottery seller shared that she works every day to sell 50 lottery tickets in order to raise money for her parents who are living in Cambodia. Living alone with few resources, the girl was not aware of the phenomenon of child sexual exploitation, but her story indicated that she was well aware of the potential risks to her personal safety:

*I started selling lottery when I was 12 years old. I walk 20 kilometres each day to sell 50 lottery tickets. If I sell all, I earn 50,000 VND profit. I spend little on my food or transport. Twice was robbed on street in Chau Doc. Once it was a couple on a motorbike who took all my money and once a young boy robbed me in the evening when I had already sold my tickets. Many older boys always touch my body and ask me to go with them. One showed me pornography. I dare not look at it. People ask me to work in their karaoke bar, but I refuse. People ask me to go to city for a job, but I won't do it. (Interview with girl lottery seller, now 14 years old, Chau Doc)*



Child lottery sellers report that they are approached for sex in An Giang.

### **Ho Chi Minh City**

Prostitution is more visible in Ho Chi Minh City than any of the other four provinces included in this study. Through the assistance of a former adult sex worker and an HIV/AIDS peer educator, the research team had direct access to children who were currently working in prostitution in parks and other outdoor settings in the central area of District One. The 14 children (10 girls and four boys) met under these circumstances were operating independently, soliciting sex in parks and other public spaces (near tourist streets and entertainment venues). While boys participate in sex in public places, the girls advised:

*We come to the park to find customers, but we don't have sex here. We go to cheap hotels nearby here. Or we go by xe om to the customer's hotel. Many people think we are busy at night time, but our busiest time is lunchtime. (Interview with girl victim of prostitution, 16 years old, HCMC)*

Those girls who are not working independently are usually managed by a pimp or the owner of a cafe, karaoke bar or massage salon. These girls are often closely supervised by the business owner and the xe om driver responsible for transporting them to the customers. One girl who had recently been arrested in Cong Hoa Street and was awaiting repatriation from the Binh Phuoc 05/06 Centre reported:

*When I worked in the cafe, we didn't have sex on the premises. The guard/xe om driver takes the girls to the hotel. We have to pay the xe om driver. When I moved to work at the guest house, I was closely watched and locked in the hotel except when I went with a client. When I worked in massage, we did the massage with our clothes off, and we can provide sex to the customers for a short time at the location. (Interview with child victim of prostitution, now 17 years old, Phu Nghia Centre)*

Management and outreach staff from Alliance Anti-Traffic and Thao Dan Social Protection Organisation reported that Pham Ngu Lao, Go Vap, Nguyen Van Luong, Cong Hoa Street, Pham Van Tri Street, Nguyen Oanh are common locations for child prostitution. Male sex workers identified that 23 September Park, Nguyen Kim Street and Van Lan Park are locations where boys under 18 frequently gather. A former sex worker now working with a local NGO reported that children are frequently working in the cafes and karaoke bars near Le Quang Dinh Street and Le Van Tho Street.

Pham Ngu Lao was the most commonly cited venue for child prostitution. A popular backpacker area, Pham Ngu Lao hosts a line of cheap guest houses, karaoke bars, cafes, discos and massage salons. The staff from Thao Dan reported that 'children in Pham Ngu Lao can speak better English than the staff at this centre'. The Ho Chi Minh City police acknowledged:

*Pham Ngu Lao is where foreigners congregate a lot. In Pham Ngu Lao there are many foreigners who come and try to involve boys to engage in sex work. Some other migrating children stay in the suburb area and just come to the city in the day time or night time. (Interview with DPS, HCMC)*

Nguyen Trong Tien Street and Cong Hoa Street were also commonly mentioned by taxi drivers, restaurant staff, adult sex workers and child victims. Transit locations including the airport, the main bus stations and the port are key locations where boys and girls are engaging in and at risk of prostitution:

*The airport area has many prostitutes. Road 1A and Hung Vuong Street are high risk areas where you can see women and children standing around. And, there are always xe om drivers waiting nearby. (Focus Group Discussion with staff at Thao Dan Social Protection Organisation, HCMC)*

Smile Group advised that the cafes and karaoke bars nearby the bus stations for the eastern (An Xuong crossroad) and western provinces (Dinh Bo Linh Street) are also high risk locations for child prostitution. A Taxi Driver in Ho Chi Minh City observed that girls under 18 years old are now working at the construction site of the interprovincial bus station. The Ho Chi Minh City Police reported that women and children often attempt to enter the port area to liaise with national and foreign sailors. As their entry is forbidden, they travel in small boats at night and enter the ships from the riverside for prostitution purposes.

In recent times, new trends have emerged in Ho Chi Minh City. Smile Group advised that during the evenings, small outdoor coffee shops are set-up at the old Van Thanh market near the Saigon Bridge. Under the pretence of making coffee, these shops actually arrange sexual transactions with the 'waitresses'. In another trend, young 'bicycle boys' begin pedalling around the Pham Ngu Lao square in the early evening. The bicycle boys ring their bells to attract the attention of pedestrians and offer massage services:

*Of course, the bicycle boys can offer massage. But, they also offer more services. They need money, and they can earn much more from providing sex than massage. The people around Pham Ngu Lao know about the true activities of the bicycle boys. (Interview with male sex worker, 20 years old, HCMC)*

## WHAT DO WE KNOW ABOUT DEMAND?

Who buys sex with children? Due to complications with the current data collection processes, police and court records do not provide a clear picture of those child sex customers who have been detected, arrested or convicted for the crime of engaging in child prostitution. However, interviews with Government officials reveal a high level of awareness that child sex offenders come from a wide diversity of backgrounds.

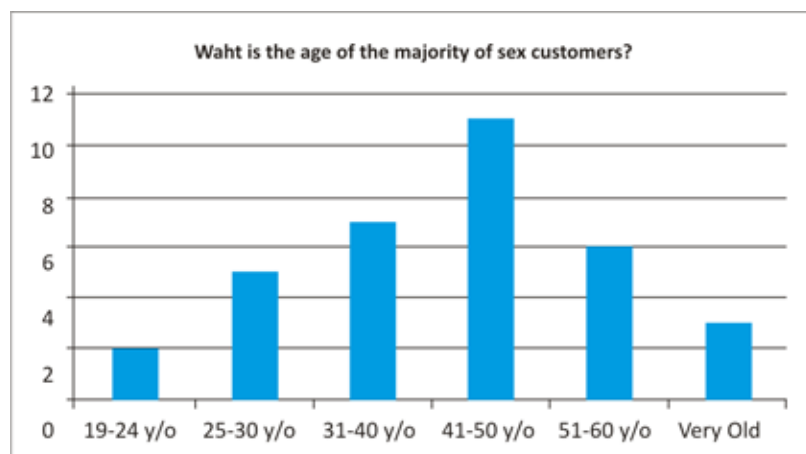
### **Nationality**

All child victims reported that they had customers from multiple countries. 23 of the 32 child victims of prostitution interviewed by the research team reported that they had received foreign customers (72 per cent). However, in terms of the volume of customers, the majority of customers are Vietnamese. In most cases, the Vietnamese customers appear to be resident in the city where they purchase sex, but they can also be travelling from another province on business or holidays. Information about the foreign customers will be examined in the Child Sex Tourism section.

### **Age**

Customers have been reported as being all ages between 19 to over 70. The majority of children reported that their customers were aged between 41-50 years old. Table 11 provides a summary of children's perception of the offenders' ages:

**Table 11: Child Victims - Perception of Offenders' Ages.**



Comments received by key informants show the variations in age:

*The customers who ask me for children are mostly aged between 40-50 years old. (Interview with Xe Om Driver, Sapa)*

*I met many experiences. I know the customers are old and young. Some might be 25 years old. Others are over 50 years old. Whatever the age, they all want young, beautiful girls. (Interview with Taxi Driver, Commune 17, HCMC)*

## **Gender**

MPS and MOJ reported that while child sex customers are mostly men, women are also engaged as brokers. However, information was provided by child victims, and other key informants which suggested that women are also paying for sex with children. While no children interviewed had engaged in sex with women, the following reports were received:

*We see Japanese women coming and having affairs with boys and xe om drivers in Pham Ngu Lao. (Interview with Smile Group, HCMC)*

*Most of the customers are men, but there are also women looking for sex. (Interview with girl victim of prostitution, now 14 years old, Nha Trang)*

*I saw it happen that women whose husbands are away need boys. Most of these women are Vietnamese aged 35-40 years old. Often they are beautiful. Normally they go to a bar with a group of three to four women. They are looking for someone who is young, handsome and stylish. They choose the boys under 18 years old. (Interview with male sex worker, 20 years old, HCMC)*

## **Occupations**

There is little official data available regarding the occupations of offenders who pay to have sex with children. Certainly, occupation is not a determinant of a predilection for child sex, but information regarding the type of work conducted by offenders provides an insight that customers come from across the spectrum of occupations and there is no stereotype of a child sex customers. In a recent report, MOLISA observed:

*Sex buyers . . . can be free working or unemployed (70.7 per cent), business (16.2 per cent), government officers (three per cent) and remarkably, foreigners visiting Viet Nam for prostitution is increasing (accounting for 10.1 per cent), especially in large hotels in cities and tourism areas<sup>55</sup>.*

<sup>55</sup> MOLISA (2008) *op. cit.*, p. 20.



The Supreme People’s Court provided a complementary statement suggesting:

*As for child sex buyers, the defendants can be directors of private companies and even state employees. (Interview with the Supreme People’s Court, Ha Noi)*

When asked about their perception of offenders’ occupations, many child victims did not know:

*Most times, we don’t know their job. We just have our job to do and they don’t want us to ask questions. Of course, we can guess if the client is an outdoor worker, official or office worker. (Interview with girl victim of prostitution, now 16 years old, HCMC)*

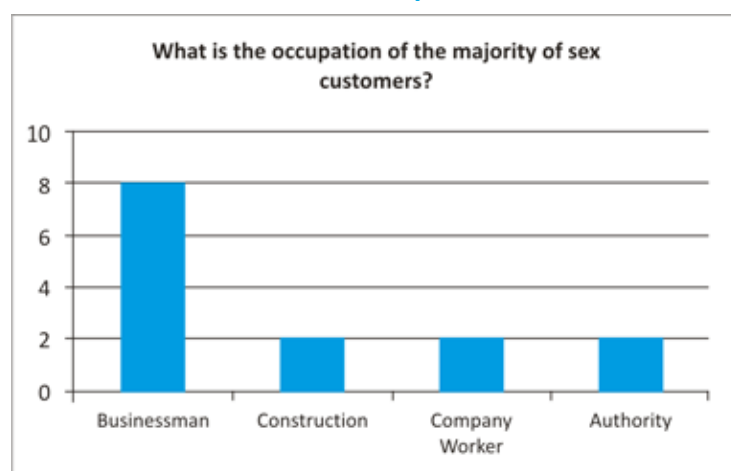
While most children perceived that their customers were businessmen, there were also reports of construction workers, company workers and authorities. Comments from other key informants provided further insights:

*Mostly the customers are married businessmen. They come alone or even with a group of other businessmen. I don’t like to see a group, because it’s not safe. (Interview with girl victim of prostitution, now 18 years old, HCMC)*

*The majority are white collar. They are professional people. Sometimes they are official staff. (Interview with male sex worker, 20 years old, HCMC)*

Table 12 provides a summary of children’s perception of their customers’ occupation:

**Table 12: Child Victims - Perception of Customers’ Occupations**



Child sex offenders are generally classified into two groups: situational and preferential offenders. The situational-type of child sex offender does not usually have compulsive sexual preferences for children. They may, however, engage in sex with children for varied and sometimes complex reasons<sup>56</sup>. The preferential child sex offender, on the other hand, has a definite sexual inclination and preference for sex with children under 18 years old. A preferential child sex offender is often known as a paedophile. They usually engage in long-term, ritualised and predictable behaviours to groom pre-pubescent children for sex. As it is difficult to place complex human behaviour into neat categories, this typology is useful in understanding the continuum of criminal behaviour, particularly as child sex offenders can demonstrate both situational and preferential motives and behaviour patterns, but with usually one more dominant.<sup>57</sup>

The motivations of child sex offenders span the continuum of preferential to situational offending. And, while it is not necessary to define these categories under law, they provide useful indicators of criminal

<sup>56</sup> Lanning, K. V. (2010), *Child Molesters: A Behavioural Analysis: For Professionals Investigating the Sexual Exploitation of Children*, 5th ed. National Centre for Missing and Exploited Children, Washington, United States.

<sup>57</sup> Lanning, K.V. (2010), *Ibid*, p. 62.

behaviour types that can be of particular support to police in investigating cases of CSEC. While, it was not possible to conduct primary research with child sex offenders during the course of this study, children's testimonies indicated engagement with preferential and situational child sex offenders.

Information from Government and non-government sources pointed to the myth that sex with children can enhance the offender's 'luck':

*One reason that so many directors commit these offences is in relation to the oriental/Chinese thinking that if they have trouble in their business they can have sex with children to get better luck in the future. (Interview with the Supreme People's Court, Ha Noi)*

*Businessmen believe they have more success when they have sex with children. We have met a few cases like this. (Interview with MPS, Ha Noi)*

*We also see children in An Giang crossing the borderline to the casino. We know children first come to sell soft drinks and snacks to the gamblers. But, in Viet Nam, if someone has bad luck in gambling, they think they need sex. So the children are vulnerable here. Most of the people in the Cambodian casino are Vietnamese. The children are Vietnamese, but they come from other provinces. They cross in the morning, do their work, then they come home at night. (Interview with Viet Nam Women's Union, Ha Noi)*



The road to the Chau Doc Border Pass. The Cambodian Casino is the large building on the right.

Information was also shared which suggests that Vietnamese businessmen purchase prostitution as a way of rewarding their staff or celebrating business success milestones:

*The perpetrators can be white and blue collar workers. Some businessmen use visits to prostitutes as a reward for their business colleagues. (Interview with Save the Children Viet Nam, Ha Noi)*

*We are like the prize. If the businessman wants to reward his staff, he brings them to us to see us. They go out. They get drunk. The boss pays all the money for his staff to have sex with girls. They can choose who they want. That's what they do. (Interview with girl victim of prostitution, now 15 years old, HCMC)*

## WHAT DO WE KNOW ABOUT THE RECRUITMENT MECHANISMS?

There is no singular rationale to explain children's entry into prostitution. Children enter prostitution through a range of complicated paths. The categorisations of 'forced' and 'voluntary' prostitution are complex for multiple reasons. Importantly, child prostitution must be considered inherently exploitative, as children, due to their age and as defined by international conventions, are not considered to have the legal capacity to make such decisions:

*There is still no evidence that young children, in particular, can give informed consent to sexual relations with adults, even though they may believe that they are making voluntary decisions.<sup>58</sup>*

58 Ennew, J. (2008), *Sexual Exploitation of Children in Prostitution: Concept Note for World Congress III* [online], Available at: [http://www.ecpat.net/worldcongressIII/PDF/Thematic/PROSTITUTION\\_OF\\_CHLIDREN\\_concept\\_note.pdf](http://www.ecpat.net/worldcongressIII/PDF/Thematic/PROSTITUTION_OF_CHLIDREN_concept_note.pdf), [Accessed: 14 April 2011], p. 1

The interviews with child victims of prostitution highlighted that children are particularly vulnerable when they are mobile and unaccompanied. Children who have moved from rural to urban areas, often arrive in cities with little awareness of risks and are highly prone to exploitation. Each child's experience is different, but some common experiences are listed below.

Some victims started working in hospitality (cafes, karaoke and massage) and gradually moved into selling sex (by force, deception or 'choice'):

*Because my family was too poor, I wanted to go out to work and earn some money. A friend introduced me to a massage shop. But, the son of the owner raped me. Then I had nothing to lose anymore, and I started working as a sex worker. (Interview with girl victim of prostitution, now 17 years old, Khanh Hoa)*

Other victims were living on the streets where the need for survival resulted in their involvement in prostitution (by force, deception or 'choice'):

*My family situation was difficult. So, when I was 13 years old, I went to the park and begged for money. Because I didn't have ID papers, I couldn't find any job. At that time, I was near Hoan Kiem Lake. A xe om driver introduced me to a young man. The young man took me to a hotel and afterwards gave me 300,000 VND. After that experience, I knew how to do prostitution. (Interview with child victim of prostitution, now 18 years old, Ha Noi)*

*Boys in the provinces don't have jobs. They come to the city to look for work, but they end up in the park. Mostly they would never choose this work. They don't even want to go with a man. But, they just have no other options. When they have no money and they live in the park, they are very susceptible to sex work. They stay in the park and randomly meet clients and gradually they begin to be sex workers. (Interview with male sex worker, 20 years old, HCMC)*

The online environment increasingly presents risks to children. A number of respondents reported the heightened vulnerability of children due to their online relationships or their accumulation of online gaming debts. The Thao Dan Social Protection Organisation in Ho Chi Minh City reported that they have observed an increasing number of cases where children are tricked into repaying their internet debts with sex. Similar reports were made by children and Government Officials:

*A few years ago, I got addicted to online games. I played every day. I used all of my money and then experienced debt. Someone came and said they could pay for me. But, I had to have sex with one of their friends. (Interview with girl victim of prostitution, now 18 years old, HCMC)*

*Most of the children come from the western provinces. They have financial difficulties. Most of them come because they want to support their families. Some want more money to buy more things. They have boyfriends and they drop school, then they get in trouble with parents and they leave the family and come to Ho Chi Minh City and look for jobs. They join in the chat and internet and play games. After a while they haven't got enough money to pay, so they were lured by people who pay the money for them. In most cases the children are not professional sex workers, just children who are tricked to earn money in wrong ways so they can survive. (Interview with Manager of Binh Trieu Centre, HCMC)*

## WHAT KEY LEGAL FRAMEWORKS ADDRESS CHILD PROSTITUTION?

Prostitution is illegal in Viet Nam and penalties are enforced against those found to be engaging in the buying and brokering of child sex. A detailed matrix outlining key legal provisions is available at Annex 5 and other relevant Decrees, Decisions, Circulars and Programs are listed in Annex 6.

In summary, the Penal Code (1999) strictly prohibits paid sexual intercourse with children. Article 256 prohibits paid sexual intercourse with children and provides penalties from one to 15 years' imprisonment depending on the child's age. Article 254 prohibits the harbouring of prostitutes with penalties of five to twenty years imprisonment depending on a child's age, and Article 255 prohibits the procuring or enticing of prostitutes.

The Ordinance on the Prevention of Prostitution (2003) expands the provisions of the Penal Code by attributing criminal responsibility to those people who use child sex workers and those who facilitate, organise or force others to sell sex (Articles 22 and 24). The Labour Code (2003) prohibits the employment of children in certain occupations (including karaoke, massage, hotels and discos) according to minimum age specifications (Articles 112, 119 and 120). The Law on Child Protection Care and Education (1991, amended in 2004) specifically address defines children as under the age of 16 and Article 7 (4) prohibits the seducing, deceiving, harbouring or forcing children into prostitution. Decree No. 87/CP (12 Dec 2005) provides punishments for all acts of procurement and deception used to lure children into prostitution. In accordance with Joint Circular No. 01/1998/TTLT-TANDTC-VKSNDTC-BNV, offences against younger victims receive more severe penalties. For example, 20 years imprisonment is applicable if the victim is aged between six to 13 years old and life imprisonment is applicable if the child is below six years old.

In December 2001, Viet Nam ratified the OPSC. However, the current legal frameworks are not yet fully aligned with the OPSC. In particular, the definition of prostitution within the Penal Code applies specifically to penetrative sex, and while Article 116 prohibits obscene acts against children, cases of sexual exploitation can still be dismissed if sexual penetration has not occurred. It should also be noted that Article 112 (4) of the Penal Code provides that all cases of sexual intercourse with children under 13 years old are considered rape. This complicates official data as offences of commercial sex with children under 13 years old are not categorised as prostitution. Consequently, the number of child victims of prostitution under the age of 13 is unknown and this, in turn, limits the services available to these victims.

While there is no legal requirement for the State to compensate victims of CSEC, Articles 604, 608-612 of the Civil Code (2005) provide that people who damage the life, health, reputation, human dignity, prestige, property, rights and other legal interests of others are required to compensate victims for their loss. This is further supported by Article 42 of the Penal Code which provides that convicted persons are required to compensate for material or mental damages caused by their crimes. However, while court records reveal that compensation orders have been issued, experience has shown that these orders have been particularly difficult to enforce especially when perpetrators have also been issued with a custodial sentence.<sup>59</sup> As a result, victims of all forms of CSEC (including prostitution) frequently fail to receive financial compensation for their exploitation. The issue of compensation is further complicated by Article 46 of the Penal Code which provides that offenders can receive a reduction in their custodial sentence if they make an offer of compensation to their victim or their families. Provisions relating to imprisonment and compensation must be clearly separated under law.

While Vietnamese law is focused on prosecuting and punishing the perpetrators of child prostitution, there are key gaps in the provision of support for child victims of prostitution<sup>60</sup>. Article 56 of the Law on Child Protection Care and Education (2004) provides that child victims of sexual abuse shall receive physical, medical and psychological support from families, other organisations and the State, but this provision does not specifically cover child victims of prostitution. Rather, Article 23 in the Ordinance on Prostitution Prevention stipulates that anyone involved in prostitution over the age of 16 years old can be administratively sanctioned with fines and placement in rehabilitation centres. This is further detailed in Decree No.178/2004/ND-CP (15 Oct 2004) which states that children aged over 16 years old can, in certain circumstances, be sent to State-run rehabilitation centres. Decree No. 135/2004/ND-CP (10 June 2004) governs the minimum conditions that are provided to children in the State-run rehabilitation facilities.

All children under 18 years who experience commercial sexual exploitation are to be treated as victims. The subsequent institutionalisation of child victims of prostitution in facilities (such as the O5 Centres) places children in an adult-detention environment where children are often subjected to regimented routines and hard work and receive limited counselling and rehabilitation services. The absence of professional services designed specifically for children's care and recovery means that reintegration is challenging and children face a high risk of recidivism due to their stigmatisation and lack of options. The UN Committee on the Rights of the Child which has repeatedly emphasised that placement in institutions should be a measure of last resort.<sup>61</sup> Laws need to be amended to prohibit the arrest and administrative sanctioning of children under 18 years old.

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59 MOLISA and UNICEF (2009), *op. cit.*, p. 35.

60 MOLISA and UNICEF (2009), *Ibid.*, p. 47.

61 MOLISA and UNICEF (2009), *Ibid.*, p. 28.

## WHAT KEY POLICIES AND SERVICES ADDRESS CHILD PROSTITUTION?

After the Ordinance on Prostitution Prevention was issued in March 2003, the Government of Viet Nam prepared and implemented the National Program of Action for Prostitution Control and Prevention (2006 – 2010). This five year plan aimed to address the situation of women and children engaged in prostitution. The key interventions initiated through this plan included prevention programs which focused on poverty reduction and community education; law enforcement initiatives including the inspection and monitoring of sensitive service businesses (including karaoke, cafes, massage shops, steam baths, hair dressing salons and guest houses); investigation and prosecution of offenders; and treatment activities including education, vocational training and reintegration for victims of prostitution.

However, as the NPA on Prostitution Control and Prevention encapsulated women and children (and children form a smaller component of this target group), very few of the resulting initiatives specifically targeted children, and those that did, focused on girls to the exclusion of boys. Furthermore, deeply entrenched perceptions about children's involvement in prostitution have obscured their recognition and treatment as victims. The categorisation of prostitution in the framework of social evils stigmatises child victims. Where child victims of trafficking are seen as vulnerable, children engaging in prostitution are sometimes viewed as naughty or complicit in their abuse, and the cumulative harm that resulted in their exploitation is often disregarded. National activities designed to improve children's situation, such as the 'Communes fit for Children Program', potentially encourage the non-reporting of child prostitution as commune officials aspire to the desired zero per cent prostitution targets. Efforts to address demand have not been sufficient. Buyers of child sex have received low penalties and children rather than perpetrators have often been detained during police raids of sensitive service businesses.

Aside from the Government response there is a disturbing lack of direct programs to tackle the complexities and sensitivities of child prostitution. Many UN Agencies and NGOs are contributing to general programs to reduce children's vulnerability to prostitution (including poverty alleviation, education, health and social service programs), (see Annex 5). But, of 26 organisations surveyed, only one organisation provides direct services for child victims of prostitution in Viet Nam (refer to Annexes 2 and 3). The Alliance Anti-Traffic (AAT) outreach team works directly with children who are engaged in prostitution in addition to providing shelter and recovery services which incorporate vocational training and rehabilitation. AAT currently provides services in the south of Viet Nam (focused on Ho Chi Minh City and the Mekong Delta region) but intends to expand their operations to Bac Giang in the future. Disturbingly, there are no other services specifically targeting child victims of prostitution in Viet Nam.

Child prostitution appears to sit in the 'too-hard basket'. The delivery of prevention and response systems for child victims of prostitution are inherently complicated. While awareness-raising campaigns can serve as a deterrent by drawing attention to methods of exploiters and risks of abuse, children's entry into prostitution is often linked to economic hardship, limited choices and lack of alternative employment options. In such cases, prevention initiatives must reach beyond awareness-raising to tackle structural causes of children's vulnerability with a direct focus on sustainable income generation opportunities, education and social services. In terms of response systems, it is recognised that child victims of prostitution are often invisible. While their pimps and brothel owners hide them for obvious legal ramifications, children expressed fear at being identified due to the possibility of administrative sanctions and, therefore, frequently hide from authorities and those who intend to support them. Attempts to integrate child victims of prostitution into programs with children from other special circumstances (including disabilities, orphans and children living with HIV) is complicated as child victims of prostitution have been exposed to extremely difficult life experiences it is often difficult for them to relate to similarly aged peers.

So, what forms of support do child victims of prostitution want? The majority of child victims currently working in prostitution reported that they do not want to continue in sex work but believe they no longer

have any viable options. Children are fearful of being apprehended and institutionalised. Children also conveyed a sense of hopelessness due to their low levels of education, learning difficulties, exposure to horrifying life experiences, and lack of socialisation and communication skills. Despite their perceived lack of prospects, children expressed that their priority needs include safety, shelter, non-harmful employment and enough income to support their particular circumstances (which can include personal survival and family assistance).

The newly approved National Program of Action Against Prostitution (2011–2015) commits to delivering important provisions to prevent prostitution and support victims, and special attention is promised for children's issues. However, experience during the past decade, particularly in relation to the two NPAs on Prostitution Prevention delivered between 2001 until 2010, demonstrates that children's special needs can become lost within broad policy framework that primarily focuses on adult prostitutes.

The National Program for Child Protection (NPCP) (2011 – 2015) is the first attempt to address child protection issues in a systemised and holistic way in Viet Nam. Under the NPCP, care and support program models have been designed to meet the special circumstance of seven groups of children (including street children, children with disabilities, orphans and children living with HIV). But, while child victims of prostitution will indirectly benefit from the outcomes proposed by the NPCP, they do not fit within one of the seven targeted groups. As a result, supplementary initiatives are required to address the child victims of prostitution in Viet Nam.

The improvement of children's circumstances is critical (including improved access to schooling for girls and access to suitable employment and income sources within the prevailing labour market), and these issues will be addressed to some extent under the umbrella of the NPCP. However, children at risk of prostitution require early identification and intervention from specialist social workers who are equipped to respond on a case-by-case basis. As a matter of urgency, the age of children should be aligned with international standards so that victims between 16 – 18 years old are no longer subject to administrative sanctions. All victims of child prostitution require specialist support. Practitioners must be qualified to deal with a range of issues including psychological and behavioural issues; substance abuse and medical conditions including communicable diseases and HIV; and social factors including stigmatisation, family acceptance and communication skills. Recovery and rehabilitation are long-term processes requiring significant resources and continuity of case management.

In Ho Chi Minh City, child victims of prostitution suggested that they need a special house where they can receive support, counselling and begin to rebuild their lives in a protective environment. These types of care arrangements for child victims of prostitution are already operating in many developed countries and, within the ASEAN region, this model has recently been pioneered by Hagar International in Cambodia. Under this model, if children cannot be reintegrated with their families they are provided with alternative housing and supported by a qualified 'house parent'. Children receive specialist medical and counselling support and participate in non-formal education until they are ready to begin formal schooling or vocational training. This social welfare support is long-term and continues until children are equipped to be self-sufficient. In addition, services for marginalised groups of child prostitutes require specialist support. Boys, pregnant girls, ethnic minority children and children with HIV have particular needs that are not currently met through the existing services.

While the law and policies apply equally to girls and boys, the application of the law and provisions for care and support have attended primarily to girls. Perhaps this is due to the previous invisibility of boys' engagement in prostitution and sex trafficking. However, as it becomes more evident that boys are victims, specialised care and protection measures are required which address the reception and administrative procedures for boys and their recovery and reintegration requirements. Boys equally deserve community care options and will require separate accommodation facilities. And, just as with girls, it is not satisfactory to place boys in centres for drug addicts or alongside children with other needs (child orphans or children with disabilities). Boy victims of commercial sexual exploitation require the same level of specialised support as girls.

Supply-focused initiatives are not sufficient to prevent or address child prostitution. Future interventions must do more to address demand. Enhanced preventative measures are required to deter offenders including public education which seeks to change buyer behaviour and combat the current practices where children sex is purchased for 'luck' or as a business reward. Media reports should also promulgate news of arrests and subsequent sentencing as a deterrent measure. While the NPA Against Prostitution (2011-2015) will escalate efforts to inspect and investigate cases of child prostitution, stronger penalties are also required to deter child sex buyers and brokers.

Despite laws, policies and services which address child protection issues, children continue to experience heinous sexual crimes including child prostitution, child sex trafficking, child sex tourism and child pornography. The situation of child victims of CSEC is shocking and desperate. Solutions must build on past strengths and utilise existing policy provisions while recognising that new approaches are needed to address CSEC in a concerted and effective way.

# CHILD SEX TRAFFICKING

## Key Findings:

- ▶ The trafficking of children for sexual purposes is occurring in Viet Nam. Girls and boys are at risk of cross-border, international and internal trafficking for sexual purposes.
- ▶ Children are most commonly trafficked for sexual purposes to those countries that share a border with Viet Nam, including China, Cambodia and Lao PDR. However, children have also been trafficked to Malaysia, Singapore, Thailand and other Asian and European destinations for prostitution.
- ▶ There is evidence that children are being trafficked for sexual purposes within Viet Nam, usually from rural to urban areas. However, this issue is poorly understood and under-resourced.
- ▶ Traffickers continue to use methods such as deception and befriending, and the rapid advancement of digital technology, including the internet, mobile phones, and social networking, is providing new opportunities for traffickers to befriend and lure their victims. However, there is also a concerning emergence of kidnapping, drugging and violence involved in child sex trafficking cases.
- ▶ Children are often familiar with the person responsible for their trafficking (the trafficker may be an immediate or distant relative, a friend, an acquaintance of a friend, a current or previous member of their community).
- ▶ Victims of trafficking are at risk of becoming traffickers themselves. Some victims have returned to their communities to deceive and entice other children to join them.
- ▶ The Government of Viet Nam has enacted legislation, strengthened international cooperation and improved domestic efforts to address child sex trafficking.
- ▶ Child victims report they have been well-treated by Chinese authorities and Vietnamese Border Guards.

## WHAT DO WE KNOW ABOUT THE MAGNITUDE OF CHILD SEX TRAFFICKING IN VIET NAM?

Trafficking is the most highly examined area of the four CSEC issues in Viet Nam. There has been a proliferation of research and projects addressing all forms of human trafficking, especially in the past five years. Certainly, the trafficking of children is an increasing concern in the border areas of Viet Nam.<sup>62</sup> However, the picture of children who are trafficked for sexual purposes across borders and within Viet Nam is not easily defined as the data on trafficking does not often specify whether victims are adults or children, whether they are female or male, and whether they were trafficked for sex or labour purposes. The Asia Foundation explains:

*In general, the fight against trafficking continues to be hampered by a lack of reliable data on which to base interventions. Data on trafficking patterns, scope and scale remain limited and unreliable, and the data are scattered in separate reports and in the mass media.<sup>63</sup>*

62 ILO, et. al. (2009), op. cit. p. 10.

63 The Asia Foundation, (August 2008), *Combating Human Trafficking in Viet Nam: Lessons Learned and Practical Experiences for Future Program Design and Implementation*, Ha Noi, Viet Nam, p. 26)



In 2011, MPS reported that 5,307 Vietnamese people (including children) were trafficked between 2005 and 2011. However, this official data does not define the age, locations or nature of trafficking experienced by the victims.<sup>64</sup> USAID suggests:

*Gaps in trafficking data are due, in part, to the fact that organised return information is not compiled systematically nationwide or shared widely within the government.*<sup>65</sup>

As the frontline defence against human trafficking, the Border Guards at the Central and Provincial levels shared their experiences and data with the research team. Having made efforts to improve their data collection in recent years, the Border Guards provided summary data for 2009<sup>66</sup> which outlines the reported cases of child trafficking. While this data does not disaggregate between labour and sex trafficking, it does provide insights into the situation of victims under 18 years old, suggesting that 77 child victims were identified in 2009. MOLISA's data from 2010 provides figures from 43 of 63 provinces and specifically documents cases of child sex trafficking. In this data, 63 children under 18 were reported to have been trafficked across international borders for sexual purposes in 2010.

Until the introduction of The Law on Prevention, Suppression Against Human Trafficking in early 2011, child sex trafficking was covered by Article 120 within the Penal Code which prohibits trading or fraudulently exchanging children. Court documents submitted by the Supreme People's Court show that in the period from 2005 to 2010, it adjudicated 272 cases of child trafficking involving 496 defendants. However, as the cases are not disaggregated into categories of labour and sex trafficking, there is no determination on the number of cases that involve children trafficked across borders for sexual purposes.

Despite the absence of reliable quantitative data, the situation of children has become clearer through qualitative research undertaken by multiple UN Agencies and NGOs in recent years which has provided a useful baseline, especially when triangulating the qualitative information collected through field assessments and consultations during this research.

There is clear evidence that child sex trafficking is occurring. Most evident is the immediate cross-border trafficking from Viet Nam to China and Cambodia. Less apparent, but gaining increasing attention is the trade in children to other Asian and European countries. Internal trafficking of children within Viet Nam is currently the least studied or understood dimension of child sex trafficking in Viet Nam.

Whether the trade is increasing cannot be quantified due to the absence of reliable data. Certainly, an increase in training, capacity and resources contributes to an escalation in the number of detected cases. Irregular migration at the Viet Nam-China border presents heightened risks for child sexual exploitation in that region. However, while at the Viet Nam-Cambodia border there has been less evidence of child sex trafficking in recent years, the movement of children for sexual purposes may have been displaced to other locations inside Viet Nam and to other countries.

## WHAT DO WE KNOW ABOUT THE CHILD VICTIMS OF SEX TRAFFICKING?

Until recently, there was no concrete evidence that boys were engaged in sex trafficking. Police, NGOs, UN Agencies had no official records or anecdotal reports of boys being trafficked for sexual purposes. However, research currently being undertaken by ILO is specifically investigating this situation, and early findings suggest that boys are victims of sex trafficking both within Viet Nam and outside Viet Nam's borders. But, as the research relating to boys' involvement in trafficking is in its infancy and the research team was only able to identify and interview girl victims of sex trafficking, the following analysis relates to the information collected in relation to girls. The pending release of the ILO report

<sup>64</sup> MPS (August 2011), Report presented at the Review Meeting of the Implementation of the Memorandum of Understanding on Coordination Against Trafficking Between Viet Nam-China, Viet Nam-Lao PDR and Viet Nam-Cambodia, Ha Noi, Viet Nam

<sup>65</sup> USAID Viet Nam (2010), Ibid, p. 5.

<sup>66</sup> Data obtained from Quantitative Survey completed by the Border Guards – Central Authority, Ha Noi.

will further advance the understanding of boys' experiences.

Many respondents mentioned that the age of children being trafficked for sexual purposes is becoming younger:

*The age of victims has changed. Before 2004, most victims were 20+ years old. Now the victims are younger and younger. We often see 14-16 year olds. (Interview with MPS, Ha Noi)*

*The girls at highest risk tend to be between 12-14 years old. Of the girls who have been returned to Viet Nam and are undergoing rehabilitation in our centres, the youngest girl in our centre in the south is 13 years old and the youngest girl in the north is 14 years old. (Interview with Pacific Links)*

During the field assessments, 19 victims of child sex trafficking agreed to share their stories with the research team. Table 13 provides the age at which the interviewed children were trafficked:

**Table 13: Child Victims – Age at which children were trafficked**

Age	Girls trafficked for sexual purposes (cross-border)	Girls trafficked for sexual purposes (inside Viet Nam)
9 years old	1	
13 years old	3	
14 years old	1	
15 years old	3	1
16 years old		1
17 years old	6	3
18 years old		
Total	14	5

Of these respondents, 14 children were victims of cross-border trafficking and five had been trafficked within Viet Nam for sexual purposes. Table 14 identifies the origin and trafficking destination of the children who participated in the research:

**Table 14: Child Victims – Origin and Trafficking Destination**

Experience	Originally From:	Trafficked to:
Child Trafficking for Sexual Purposes (Cross Border)	Van Ban (2 girls)	China
	Si Ma Cai (1 girl)	
	Lao Cai (2 girls)	
	Kheo Meo (1 girl)	
	Nghe An (1 girl)	
	Hai Phong (1 girl)	
	Bat Xat (1 girl)	
	Ha Noi (1 girl)	
	An Giang (3 girls)	Cambodia
Child Trafficking for Sexual Purposes (Inside Viet Nam)	Don't know (1 girl)	HCMC
	Ninh Hoa (1 girl)	Nha Trang
	Binh Dinh (1 girl)	Nha Trang
	Khanh Hoa (1 girl)	Nha Trang
	Thanh Hoa (1 girl)	Ha Noi

While no specific data is available on the age, locations and circumstances of the child victims of sex trafficking identified through official channels, MOLISA reports that most are from the Kinh majority. Of the 77 child trafficking victims (including labour and sex trafficking victims) identified by the Border Guards in 2009, 44 (57 per cent) were aged between 16-17 years old. In the north, children from the Hmong ethnic minority represented the largest group of victims (34 victims - 44 per cent). Kinh (14 children - 18 per cent) and Tay (10 children - 13 per cent) were the next largest ethnic groups<sup>67</sup>.

Authorities, child victims and agencies working directly with children highlight commonalities in the background of child victims. Nationwide, it is suggested that child trafficking victims come from economically marginalised families and that children often have a low level of education and limited literacy skills. USAID suggests there are variations in the vulnerabilities for children in the north and south:

*Young women in the Northern Highlands are more likely to be geographically and rurally isolated along the China border, are generally poor and have low educational levels, and follow migratory livelihood strategies (e.g., swidden farming) that add to their vulnerabilities. In contrast, the majority of the women trafficked along the Cambodian border are ethnic Kinh. Their risk factors are poverty, low educational levels, and cultural expectations about gendered roles and responsibilities.*<sup>68</sup>

However, child victims do not always fit the emerging stereotype:

*Many people think the children come from poor situations, but when we meet them this is not always the case. Their current situation is that some children don't come from the poorest families. One family had a big farm, but they were still tricked and agreed for their children to go to China because they expected they would have an even better life. (Interview with IOM, Ha Noi)*

*Criminals set up groups and networks inside and outside the country to deceive and trick women and girls from deep-far, remote and poor areas who are in poverty and have limited knowledge but they can also target children in better-off families who lack family monitoring*<sup>69</sup>.

In many cases, communities, families and victims themselves reported little awareness of the risks of trafficking:

*Parents have a poor understanding of exploitation and what is involved in the life overseas. As a result, parents can be persuaded to send their daughter overseas with the belief that she will improve her life. (Interview with IOM, Ha Noi)*

*Children and families think about paradise and rarely know that they are being deceived. (Interview with Save the Children in Viet Nam)*

During a focus group discussion in Lao Cai, the staff of the Social Protection Centre reported that the children are often unaware of the phenomenon of trafficking when they enter the centre. Many believe they have been unlucky, and they are unaware that they have been victims of an international problem.

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67 Data obtained from Quantitative Survey completed by the Border Guards – Central Authority, Ha Noi. USAID (2010), *op. cit.*, p.8.

68 Data obtained from written report submitted by the Border Guards Steering Committee 138.

69 Data obtained from written report submitted by the Border Guards Steering Committee 138.

## WHAT DO WE KNOW ABOUT THE TRAFFICKING ROUTES?

### Viet Nam to Cambodia

In the late 1990s and early 2000s, global attention was focused on Cambodia's burgeoning sex industry. The resulting reports and media coverage revealed that Vietnamese children were working in Cambodia's brothels. But, where were these children coming from? Many studies in the early 2000s reported that the Vietnamese girls were born in Cambodia to Vietnamese parents. However, more recent research has specifically examined the forced movement of children from Viet Nam to Cambodia for sexual purposes.

### **Who are the Children?**

Compared with the situation of trafficking to China, where many children come from ethnic minority communities, USAID reports that the majority of children trafficked from Cambodia to Viet Nam are ethnic Kinh<sup>70</sup>. Shelters and rehabilitation centres reported that repatriated victims commonly present with very low literacy rates and tend to come from very poor families. Most evidence suggests that girls are aged between 12-16 years:

*We mostly receive girls between 12 – 16 years old. The youngest girl is 12 years old. She is from An Giang. When she was nine years old, she was playing in her yard. A couple approached and asked if they could take her around for the day. However, they took her to a hotel to meet a foreigner. The foreigner said she was too young and gave her USD\$30. Unfortunately, four years later the girls was tricked again and taken to Cambodia. This time she was forced to have sex while she was video recorded. She tried to escape but the man had a knife. The Cambodian police caught the man and then returned her to Viet Nam. That's how she came to this centre. (Interview with Social Support Centre, Long Xuyen)*

Recent evidence suggests that police have intervened in cases where girls were as young as eight years old:

*In February 2011, we received a case from the commune. The case involved a girl who was born in 2003. She was eight years old. The parents had already sold her for her virginity and she was about to be sent to Cambodia, but due to the intervention of the authorities she was saved. (Interview with Social Support Centre, Long Xuye)*

### **Geography**

The south western provinces of Long An, An Giang, Song Be, Kien Giang, Dong Thap, Can Tho and Ho Chi Minh City) are key source locations for child sex trafficking to Cambodia,<sup>71</sup> not only for children registered in those provinces, but also for children who are passing through. The Social Service Centre and the Pacific Links Shelter in Long Xuyen both reported that the majority of the girls in their care were registered in An Giang before they were trafficked. When interviewed, each of the three trafficking victims explained that they were from An Giang and each of them had crossed the border near Chau Doc when they were trafficked from Viet Nam to Cambodia. Prostitution mobility at the key border towns of Chau Doc and Vinh Xuong have been investigated by Lainez<sup>72</sup>. In Chau Doc, the research team observed the border belt and the complications of managing the more than 100 kilometre border that separates An Giang Province from Cambodia:

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70 USAID (2010), *op. cit.* p. 8.

71 ECPAT International (2008b), *Combating Child Sex Tourism: Questions and Answers*, Bangkok, Thailand, p. 20.

72 Lainez, N. (March 2011), *op.cit.*

*I've been working at this border post for 16 years. Every day people come here to cross the border for work and for the Casino. While we can manage the crossing of people through this border control point, you can see that the border goes for a long distance, and people can just walk across the border belt at another place to enter Cambodia. It's difficult to manage the unofficial crossing of people. (Interview with Border Guard, Chau Doc Border Gate, An Giang)*

*The lady who bought me, said she would take me to HCMC, but instead we crossed the border which goes to the casino at Chau Doc. We could cross easily and no-one stopped us because I was with the older lady. (Interview with girl victim of trafficking, now 13 years old, Long Xuyen)*

When they are taken to Cambodia, girls reported they were forced into prostitution in Phnom Penh, Siem Reap and Koh Kong (which borders eastern Thailand). The Provincial Authorities in An Giang reported children are also providing sex to Vietnamese and Cambodian customers of the two large casinos on the Cambodian side of the border near Chau Doc.



The Border Belt between Viet Nam and Cambodia

In the early 2000s, Cambodia was viewed as a destination for easy money. However, as stories have emerged that girls have experienced sexual violations, diseases, HIV and indebtedness there has been a resulting decline in the cross-border mobility flow.<sup>73</sup> But, children remain at risk. Families are still vulnerable to economic pressures and Lainez points to a shifting trend towards internal trafficking particularly as children from the border provinces are now beginning to emerge in new locations including the growing industrialised areas such as Binh Duong on the sprawling outskirts of Ho Chi Minh City.

### Cambodia to Viet Nam

While it has been perceived that child sex trafficking is a one-way exchange from Viet Nam to Cambodia, USAID recognises:

*Viet Nam is also a destination country for Cambodian children trafficked to cities, primarily Ho Chi Minh City, for forced begging, prostitution and other forms of labour exploitation*<sup>74</sup>

In 2009, the US Trafficking in Persons Report observed that Viet Nam is a destination country for children from Cambodia who are trafficked to urban area for forced labour or commercial sexual exploitation. The research team did not have the opportunity to meet any Cambodian children engaged in commercial sexual activities in Viet Nam during the field assessments.<sup>75</sup>

### Viet Nam to China

In 2004, Viet Nam and China announced the 'Two Corridors – One Circle' program which aims to facilitate trade and investment between the two countries<sup>76</sup>. In the subsequent years, the establishment of commercial zones near key border crossing has improved formal cross-border movement in support of economic growth. There are many social and economic advantages to be gained from these cross-border connections, however, certain social impacts are also being monitored. Although trafficking is not directly caused by the newly established commercial zones, in the past five years, the cross border trafficking of women and children from Viet Nam to China has become increasingly prominent. However, the data and observations refer more generally to adult trafficking for labour and sex and do not specifically refer to cases of child sex trafficking.

<sup>73</sup> Lainez (2011), *Ibid*, p. 28.

<sup>74</sup> USAID (2010), *op. cit.*, p. 7

<sup>75</sup> US Department of State (2009), *Trafficking in Persons Report*, Available at: <http://www.state.gov/documents/organisation/142979.pdf>, [Accessed March 2011].

<sup>76</sup> UNDP (2011), *Enhancing China-ASEAN Economic Integration: Cross-Border Economic Cooperation in Zones at the China-Viet Nam Border (CBEZ)* [online], Available at: <http://www.undp.org.cn/projects/55702.pdf>, [Accessed 7 June 2011].

## Who are the children?

In 2010 USAID reported that of all trafficking cases to China, young ethnic minority women and girls constitute a significant share, with estimates ranging anywhere from 40-60 per cent of returns.<sup>77</sup> These figures are consistent with the 2009 ILO Rapid Assessment which identified that ethnic minority victims account for 75 per cent of returnees at the Lao Cai border (107 out of 143 human trafficking victims identified between 2006-2008)<sup>78</sup>. Around the northern borders, the education level of trafficked women and girls is low, with a 21 per cent illiteracy rate and only one per cent of victims have attended upper secondary school levels.<sup>79</sup>



Girls have been abducted from the Sapa Market and transported to China for sexual purposes.

## Geography

The Lao Cai Border Guards and Social Protection Centre both reported that most child victims are not residents of Lao Cai. Instead, they cited other northern provinces including Ha Giang, Phu Tho, Nam Dinh, Bac Ninh, Tuyen Quang and Hai Phong as the source provinces for many child victims. The ILO reported that Sapa was an area of particular concern as one or two girls disappeared each week in 2008<sup>80</sup>. Nine girls who had been trafficked to China for sexual purposes agreed to be interviewed by the research team. Six of these respondents were from Lao Cai Province, the other four came from Nghe An, Ha Noi, Hai Phong and Cao Bang Provinces (Table 15). Similar to An Giang, the Border Guards in Lao Cai reported the difficulties of managing unofficial border crossings along the difficult border separating Viet Nam from China:

*The traffickers know the best time. They go to the border trails near the forest or river and wait until the shift changes. Or they wait until the late afternoon when it is quiet because the guards are having dinner or washing themselves. Then they make their way across the trails and across the river without detection. (Interview with Border Guards, Lao Cai Border Control Post)*

The victims in Lao Cai referred to the ease of crossing the border, and they were often unaware at what point they had crossed the border:

*When I stopped studying in Van Ban, I came to Lao Cai with my sister to look for work. When we got off the bus, my sister went to find a xe om driver. At that time, a lady approached me and said that she would take me to my sister. She took me to a boat nearby here. It was just me and the woman in the boat with the boat driver. It was about 5 or 6pm in the afternoon. I thought she was taking me to my sister. I had no awareness that I was going to China. I had to have sex with many customers. I haven't seen my sister since that day. (Interview with girl victim of sex trafficking, 17 years old when trafficked, Lao Cai)*

*It was tea-break time when I was in fourth grade. I was about eight or nine years old. One woman gave me a candy and invited me to go with her. But, in fact she took me away and sold me to China. She took me through the Mong Cai Border Gate (but I only*



Unofficial boat crossings are one of the mechanisms used by traffickers to transport child victims from Viet Nam to China.

77 USAID Viet Nam (2010), op. cit. p. 8.

78 ILO, et al (2009), op. cit., p. 10.

79 Ibid, p. 10.

80 Ibid, p. 13.

*realised that when I escaped back to Viet Nam five years later). I had to work for many years as a sex worker in China. (Interview with girl victim of sex trafficking, now 18 years old, Ha Noi)*

The Border Guards observed that girls are often trafficked to work in Chinese cities in close proximity to the Vietnamese border:

*The border economy is increasing. The restaurants on the border routes need hostesses. Older women don't have many customers. If the brothels offer younger girls they have more customers. Customers are not only from China, they are also Vietnamese people who cross the border. (Interview with Border Guard, Ha Noi)*

*The demand from China is growing due to gender issues. There are not enough women in China, so they turn to Viet Nam. (Focus Group Discussion with Lao Cai Provincial Authority, Lao Cai)*

In some cases, the Border Guards have been able to work successfully with Chinese authorities to facilitate the rescue of children soon after they have been trafficked to China:

*Usually the family come to report cases and we have to look for children on the other side with the assistance of our counterparts in China. If they pass through the official border post, we usually stop them at the border and take interviews. We use the statement of the victims to get the perpetrators. Apart from detecting cases at the border, we also cooperate with China to investigate cases and retrieve children. When we rescue some victims, we ask where they were kept, who kept them and whether other children are still in that place so we can do further investigating. (Interview with Border Guards, Lao Cai Border Control Post)*

## Viet Nam to Lao PDR

Viet Nam's longest international land border is shared with Lao PDR. The complicated border stretches over 2,000 kilometres through mostly mountainous areas making it difficult to regulate and providing concealed routes for traffickers.<sup>81</sup> Until recently, very little was known about sex trafficking between Viet Nam and Lao PDR, but recent information has pointed to the incidence of trafficking in Vietnamese women and children to work in prostitution in Lao PDR.

Vietnamese girls trafficked into prostitution have been identified in Savannakhet and Champassak provinces in central and southern regions of Lao PDR. In a recent study of the CSEC situation in Lao PDR, a team from Child Frontiers conducted fieldwork in the Sepon gold and copper mining area in Savannakhet near the Vietnamese border of Quang Tri and Quang Binh provinces. The research reports:

*Many Vietnamese women and girls were involved in prostitution serving the large number of foreign labourers in this area. There have also been reports of Vietnamese nationals trafficked to Laos by Vietnamese organised crime gangs for forced prostitution in the Vietnamese community.<sup>82</sup>*

Further north, the province of Ha Trinh has also been identified as a high risk location by the Vietnamese Border Guards:

*We also see problems arising at Ha Think (the border location with Lao PDR). Most cases trafficked to Lao PDR are from two years old to 23 years old. We have seen the case of a 16 and 17 year olds who were rescued by Border Guards from a restaurant on the way to Lao PDR. (Interview with Border Guards, Ha Noi)*

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<sup>81</sup> USAID (2010), *Ibid*, p. 13.

<sup>82</sup> Child Frontiers (2011), *Report on the Commercial Sexual Exploitation of Children in Lao PDR, Vientiane, Lao PDR*, p40.

Media reports in recent years also identify the emerging trend of Vietnamese girls being trafficked to provide sexual services in beer halls, massage parlours, truck stops and transit routes within Lao PDR:

*In Savannakhet province, according to the head of the provincial health department, Lao women - along with women from Viet Nam and Thailand - provide sexual services along Route 9, Laos's so-called "East-West economic corridor." UNICEF spokesman Geoffrey Keele said Lao girls aged 14 to 18 are particularly at risk. "Most of them come from semi-rural backgrounds, semi-urban backgrounds and frequently are either lured into the sex trade or are frequently tricked into it by promises of other jobs."<sup>83</sup>*

In addition to being a destination for Vietnamese child victims of sex trafficking, anecdotal evidence suggests that Lao PDR is being used as an intermediate route to transfer children to China:

*A government official reported that groups of women were brought from the Mekong, up through Lao PDR and into China for sexual exploitation. A young woman, who escaped, observed that she and several others were transported eight days away inland by train in China.<sup>84</sup>*

The research team did not have the opportunity to meet any Vietnamese victims of sex trafficking in Lao PDR during the field assessments.

### **Internal Trafficking**

In preparation for World Congress III Against Sexual Exploitation of Children and Adolescents held in Rio de Janeiro, Brazil in 2008, the Government of Viet Nam prepared a country report which acknowledged the occurrence of internal trafficking in Viet Nam:

*Trafficking in women and adolescents also happens in-country, mainly in cities and towns. Women and children are lured from rural to urban areas to be sold in restaurants, hotels, karaoke, cafe shops where they are forced to work as prostitutes.<sup>85</sup>*

Evidence from varying sources demonstrates that children are being traded and fraudulently exchanged into situations of commercial sexual exploitation within Viet Nam:

*There are reports of trafficking of Vietnamese, particular women and girls, from poor, rural provinces to urban areas including Ha Noi, Ho Chi Minh City and the newly developed urban zones such as Binh Duong.<sup>86</sup>*

*There's evidence that internal trafficking is increasing. There are cases of children who have been moved internally from Hai Phong to Ha Noi, An Giang to Ho Chi Minh City and Thanh Hoa to Ha Noi. (Interview with ARTIP, Ha Noi)*

*I was living in my home town at Ninh Hoa. My father died when I was young. In my childhood I faced a lot of psychological violence in my household. I was sexually abused when I was 16 years old. One day my friend asked me to go with her to Nha Trang. In the evening she asked me to go out with her but, in fact, she left me at a hotel where I had to start working as a sex worker. (Interview with girl victim of internal trafficking, now 18 years old, Nha Trang)*

However, internal trafficking within Viet Nam is extremely difficult to quantify<sup>87</sup>. The 2011 Trafficking

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83 Radio Free Asia (8 Feb 2007), *Survey Shows Grim Reality of Lao Sex Trade*, Available at: <http://www.unhcr.org/refworld/docid/469dc7b419.html>, [Accessed 14 June 2011]

84 USAID (2010), *op. cit.*, p. 13.

85 Socialist Republic of Viet Nam (2008b), *Viet Nam Country Paper for World Congress III Against Sexual Exploitation of Children and Adolescents*, Presented in Rio de Janeiro, Brazil, November 2008, pp. 1-2.

86 US Department of State (2011), *Trafficking in Persons Report: [online]*, Available at: <http://www.state.gov/g/tip/rls/tiprpt/index.htm> [Last Accessed: 5 July 2011].

87 USAID (2010) *op. cit.*, p. 9.



in Persons Report observes that there were no prosecutions or convictions for internal trafficking in Viet Nam during the past year.<sup>88</sup> The lines between internal trafficking and urban migration are often blurred. As the law is not specific, cases of internal sex trafficking are often identified as child prostitution. And, if a child is over 16 years old, they can be subject to administrative sanctions for their involvement in prostitution.

Globally, CSEC is subject to the push-down, pop-up effect. When interventions are strengthened in one area (push-down), issues can be displaced to emerge in new locations (pop-up)<sup>89</sup>. As the cross-border movement of children to China, Cambodia and Laos becomes increasingly difficult, more attention will need to be paid to the internal transfer of children for sexual purposes within Viet Nam's land perimeters in coming years.

### **International Trafficking**

Beyond Viet Nam's immediate land borders, children are being trafficked further abroad for sexual exploitation:

*Mobility appears no longer as a clandestine phenomenon localised on porous borders in a rural milieu.<sup>90</sup>*

Within the Asian region, there is evidence that some children have been trafficked for sexual purposes to Thailand, South Korea, Malaysia, Taiwan, Hong Kong, Singapore and Macao.<sup>91</sup> During the field assessments, Malaysia emerged as a common destination for Vietnamese girls:

*Recently, we also saw the case of sex-trafficking by air. People pretend they are visiting their families overseas, but they traffic the 16-18 year old girls to participate in sexual services in other countries like Malaysia. (Interview with MPS, Ha Noi)*

*My younger sister (15 years old) goes to a place to sell lottery. A woman told her she can go to Singapore and get three million VND per month. I heard a lot about that and I was scared. She wanted to go because she doesn't have to pay for accommodation or food. She kept telling our mother she wanted to go. We know the money is good but she refused for her to go. I also heard a lot about that so I did not dare to let her go. She is small and young and only thinks about the money. (Focus Group Discussion with children at risk, Commune 17, HCMC)*

Another emerging area of concern is the movement of children to European destinations for sexual purposes. Authorities in the UK have recently announced that Viet Nam is the top source country for children who are trafficked into the United Kingdom. 20 per cent (58 children) of the total 287 cases of child trafficking to the UK were Vietnamese<sup>92</sup>. While most cases of child trafficking to the UK involve the movement of boys to illegal cannabis factories, there have been a number of recent cases where girls have been trafficked and sexually exploited:

*There were three cases where the main type of exploitation was suspected to be sexual and one case where it was thought to be a secondary form of exploitation. All were female and aged between 14 and 16 when first trafficked. Since February 2010, a number of other Vietnamese girls trafficked from China to the UK for sexual exploitation have been identified.<sup>93</sup>*

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88 US Department of State (2011), *op. cit.*

89 The push-down, pop-up effect was highlighted by Dr. Saisuree Chutikul (National Committee for Women's Affairs, Thailand) in her keynote address to the ASEAN Regional Taskforce to Prevent Child Sex Tourism, held in Bangkok, Thailand (September 2006).

90 Lainez (2011), *Ibid*, p. 29

91 Lainez (2011), *Ibid*, p. 29

92 CEOP (2010), *Strategic Threat Assessment: Child Trafficking in the UK*, London, United Kingdom, p. 6.

93 CEOP (2010), *Ibid*, p. 23.

*Victim testimonies suggest similarities in the route taken into the UK. Many flew with an agent to Russia. They were then transported via lorry, often with other Vietnamese and non-Vietnamese nationals to the Ukraine, Poland, the Czech Republic, Germany, France and finally the UK. Children stated that they were often passed between Vietnamese agents who appeared to operate in individual countries en-route; however, in a number of cases, agents were not Vietnamese.*<sup>94</sup>

*... in one case where Vietnamese girls were brought to the UK for sexual exploitation the trafficker was a Chinese national.*<sup>95</sup>

While effective law enforcement efforts have contributed to the detection of child sex trafficking cases in the UK, the exploitation of Vietnamese children is almost certainly not exclusively occurring in the UK. Many opportunities exist for children to be sexually exploited as they are illegally transferred through other European countries. The Government of Viet Nam and the British Government are taking steps to address the trafficking issue, but further attention also needs to be paid to the situation of Vietnamese children in the broader European continent.

The research team did not have the opportunity to meet children who had been trafficked beyond those countries which share land borders with Viet Nam.

### **How are children trafficked?**

How does trafficking eventuate? How is it that children cross borders for sexual purposes? While there is no stereotypical profile of a child sex trafficker, some common characteristics have been elucidated. Across the country, multiple examples were provided which demonstrated the commonality of particular methods. Overall, there was agreement that the methods are becoming more sophisticated, and on many occasions multiple methods are used:

*Perpetrators are using more and more sophisticated means to support their lucrative business of child sex trafficking. Through children's stories, we have seen many examples at this centre. They pretend to love the children, drug the children, kidnap the children or promise to find the children a job. Another way is that they promise to take the children across the border for shopping or tourism. (Focus Group Discussion with Social Protection Centre Staff, Lao Cai)*

*As the benefits of child prostitution are huge, criminals used all kinds of tricks to deceive and force children to engage in prostitution.*<sup>96</sup>

Of the 29 individuals arrested by the Border Guards for child trafficking cases in 2009, there was an even distribution of male and female offenders (14 males/15 females).<sup>97</sup> The Supreme People's Court reports that of the trafficking cases appearing before the court 56 per cent are women, mostly aged between 18 – 30 years old with low education and literacy levels<sup>98</sup>.

### **Someone familiar to the victim:**

Traffickers are not usually the imagined stranger<sup>99</sup>. Rather, traffickers are frequently known to villagers and use their relationships to persuade neighbours and friends that they will find jobs for their children. Further, it is suggested that older children encourage younger children across borders through a process of befriending. In many cases, there is some form of relationship or familiarity between the child and the trafficker that results in a level of trust by which the trafficker persuades the child to travel with them:

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94 CEOP (2010), *Ibid*, p. 23.

95 CEOP (2010), *Ibid*, p. 23.

96 Information obtained from report submitted by Border Guard Steering Committee 138.

97 Data obtained from Quantitative Survey completed by the Border Guards – Central Authority, Ha Noi.

98 Interview with the Supreme People's Court, 24 January 2011.

99 The Johns Hopkins University (2007), *op. cit*.

*I was born in a poor family with six children. I left school after finishing grade three. One day, an aunty who was a cousin of my mum came to my house with her son-in-law and his friend. They told me that they could find me a catering job in Lao Cai. My aunty and I both went with them. We stayed two days in Lao Cai because they said they were connecting with the possible employers. They drugged me and when I woke up, I knew I was sold to China. After three days in China, I was forced to serve customers. When I refused, they beat me savagely. (Interview with girl victim of sex trafficking, now 17 years old, Lao Cai)*

Border Guards in Lao Cai and An Giang reported that the ‘so-called’ friends are often community members who were previously trafficked themselves. Multiple sources report that traffickers are often previous victims:

*Often the perpetrators are prostitutes themselves. They might have been in the same situation before. They return to their home towns in order to lure other children. If they are caught, they say they are just visiting a relative across the border. (Interview with Border Guard, Lao Cai Border Control Post)*

*In some cases, the offenders used to be victims of trafficking themselves. They come back to Viet Nam to trick others. (Interview with the Supreme People’s Court, Ha Noi)*

Examples of this scenario were verified in victims’ testimonies:

*I was addicted to online games when I was 14 years old. I was always absent from school to go and play online games. When my mother learned, she beat me and kept me at home and didn’t let me go to school. I left home to stay with two other bigger friends and one of their boyfriends sold all three of us to China. (Interview with girl victim of sex trafficking, Ha Noi, 16 years old)*

Feigned love is another common tool of entrapment. Girls are tricked by false lovers into crossing borders for shopping, tourism or employment:

*Many boys come to Cat Cat and say ‘I love you’. But, we can’t trust them. When you think you’re in love, you don’t realise you’re being deceived. I don’t want a boyfriend, especially if I don’t know them. To stop the girls going to China, we need to tell them about this problem. (Interview with souvenir seller, 17 years old, Cat Cat Village Lao Cai)*

*We meet people from Sapa who tell us they can find us a better job. Recently a man over 40 years old gave one girl a lot of money and a mobile phone to convince her to go to China with him, but she refused. (Interview with souvenir seller, 18 years old, Sapa)*

In the north and south, examples were provided where traffickers use other children or adults as intermediaries to procure children. In particular hamlets, such as Cat Cat Village near Sapa in Lao Cai, the research team received many reports that locals have been asked to broker ‘introductions’ for child sex. Children in Ho Chi Minh City reported similar approaches:

*I’ve been working as a souvenir seller for two years. Sometimes people ask me where they can find children for sex. The men are mostly 40-45 years old from Viet Nam and China. They come often to our hamlet. Mostly they ask for the girls who are 16-17 years old. They take the children to the brothel. In recent years, I see there is an increase in child sex. Now there is more tricking and there are more Vietnamese and Chinese men coming. (Interview with souvenir seller, 17 years old, Cat Cat Village)*

*I’m from a place in Ho Chi Minh City where life is very complicated. There were many cases of parents selling their children to foreigners. Sometimes a lady would come to our area looking for around ten children to take to the border of China. She would ask if we knew other friends who would go with her and would ask us to take the children to her. I knew a girl who was 8 – 9 years old who was taken to the border so she could be sold when she became older. (Interview with former street boy, 17 years old, HCMC)*

## Sold by Relatives

There were reports in the north and south that parents and relatives are sometimes responsible for the sale of their children. Child sex trafficking from Viet Nam to Cambodia is a highly organised, transnational criminal activity that is often linked to informal credit and debt contracts. Under these agreements, a family knowingly offers a daughter to work in a brothel until the debt is repaid:

*I am from An Giang. Children have a difficult time in An Giang. Two of my close friends were sold by their mother to cross the border and work in brothels. In the border areas they can get 30 million VND (USD\$1,500) for selling children. (Interview with recovering girl victim of trafficking, now 19 years old, HCMC)*

*There are cases where the children are sold by the family, including the biological father. (Interview with MPS, Ha Noi)*

It is often not clear whether parents have knowingly sold their children or whether they have been deceived into agreeing to their movement:

*When I was 13 years old, I helped my parents in their shop. One woman from another village would come to buy things from my family regularly. She told me that I could earn more money if I went to Ho Chi Minh City. She said she would pay two million VND (USD\$100) to my parents in advance. First my parents didn't agree, but as they needed money for my brother's school fees then they agreed. But she didn't take me to Ho Chi Minh City. She took me across the border to Cambodia. When I realised, I tried to escape, but she said if I escaped she would take the money back from my parents. I knew they had already spent the money, so I had to go with her. (Interview with girl victim of sex trafficking, now 15 years old, An Giang).*

The Social Support Centre in Long Xuyen reported that girls do not usually accept or disclose that they have been sold by their own parents or relatives.

## Kidnapping and Drugs

Many respondents in the north and south reported that violent kidnapping of children is growing. In the past three years, the Border Guards have reported that 28 children have been kidnapped from Ha Giang, Lao Cai, and Lai Chau near the northern border with China.<sup>100</sup> The Asia Foundation explained that traffickers have become bolder in their activities. On occasions, children have been kidnapped while they have been in the presence of their family. While it is not certain whether kidnappings are occurring for the purpose of organ removal, adoption or sex trafficking, the risk is certainly growing:

*Before 2004, the primary method was about befriending children, and asking them to cross the border. Now we see more deceptive employment offers and kidnapping. (Interview with Border Guards, Ha Noi)*

*We received a phone call from a concerned father. He explained that his daughter was a flower seller at the local market in Ha Noi. One day she didn't return from work. He went to the market to look for her and found her discarded bike and flower basket. Nearby sellers reported she had been forced into a car. (Interview with CSAGA, Ha Noi)*

*There have been a few cases we know where strangers go to the primary school and say they are family members and take the children away. We don't know if this is for trafficking, but we are improving our security to prevent this. (Interview with MOET, Ha Noi)*

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<sup>100</sup> Interview with Border Guards, Ha Noi, 13 January 2011.

Children's reports provided insights into the forms of kidnapping being employed by traffickers:

*Four years ago when my sister was 16 years old, she was taken to China. It was a Sunday afternoon and she was returning from the market in Sapa. We heard that an unknown man on a motorbike stopped to offer to drive her home. She accepted, but we never saw her again. My parents tried many times to look for her, but they were not successful. We heard from others that the man took her to China. But, it's now four years and we still haven't found her. I still think and worry about my sister. (Interview with souvenir seller, 17 years old, Cat Cat Village)*

*One evening, my boyfriend asked me and one of my girl friends to go to the festival. When we were there, we were given a drugged drink and became unconscious. When waking up, I found us in a strange room with three or four other women. After a few days, we were forced to serve customers. (Interview with girl victim of sex trafficking, now 20 years old, Lao Cai)*

### Internet Connections

Information and communication technologies (ICTs) and online social networking have heightened the risk of children being exploited for sexual purposes and have created new opportunities for traffickers to reach and groom children.

There is evidence that social networking technologies are increasingly being used in Viet Nam to befriend children for the purposes of child sex trafficking, child prostitution and child sex tourism. In 2010, the British Police Child Exploitation and Online Protection (CEOP) team reported:

*Child sex offenders have been quick to target online games and chat rooms where children are known to frequent in order to groom them. From this, it could be inferred that traffickers, or those willing to commercially exploit children, may look to such target rich environments for future recruitment, given the rapid use of internet and, in particular, gaming sites in countries of South East Asia, such as Viet Nam.<sup>101</sup>*

Disturbingly, 'advances in ICT have outpaced our understanding of their social impact, particularly involving their negative aspects.'<sup>102</sup> Choo (2009) warns:

*Awareness and understanding of the threats of on-line child exploitation will continue to be a vital component of the fight against online child grooming<sup>103</sup>.*

In 2009, the Ministry of Information and Communication reported that 'Viet Nam has more than one million gamers and most of them are less than 20 years old' (Ngo, 2009). While access to the internet, mobile phones and participation in gaming does not necessarily lead to abuse, children's use of these tools present clear risks. Many respondents shared observations of the trafficking risks associated with technology:

*Traffickers are making heavy use of the internet to exploit young women. Traffickers often go online to find girls in debt, invite them to go shopping in border provinces, then sell them.<sup>104</sup>*

*We have received children at this centre who met people on the internet. Those people invited them to go to China. The children agreed. They thought they were meeting their friends, but instead they were abused. (Focus Group Discussion with Social Protection Centre, Lao Cai)*

*Technology is used to help control victims of trafficking and make financial transactions. Traffickers*

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<sup>101</sup> CEOP (2010), *op. cit.*, p. 59.

<sup>102</sup> Muir, D. (2005), *Violence Against Children in Cyberspace*, ECPAT International, Bangkok, Thailand, p. 9.

<sup>103</sup> Choo, K. R. (2009), *Online Child Grooming: A Literature Review on the Misuse of Social Networking Sites for Grooming Children for Sexual Offences*, Australian Institute of Criminology, Research and Public Policy Series, no. 103, p. iv.

<sup>104</sup> Earth Times (25 Dec 2009), *Four Jailed for Running Viet Nam's Biggest Porn Website* [online], Available at: <http://www.earthtimes.org/articles/news/300971,four-jailed-for-running-Viet-Nams-biggest-porn-website.html> [Accessed 27 May 2011].

*continue to issue mobile phones and SIM cards to trafficked children, particularly those who spend time apart from the trafficking network, such as those who are accommodated by social services. A number of children in care were noted to have used the internet before they went missing, at least two of whom were thought to have been in contact with their trafficking network. The internet is reportedly used to make primary contact with children. The Women's Union, an official statutory body in Viet Nam, highlighted the use of the internet by traffickers to groom girls for sexual exploitation or forced marriage in China. Traffickers would become online friends with the girls, in some cases even paying for their internet access. They would then arrange offline meetings, often taking them shopping in a big city and then later trafficking them across the Chinese border.<sup>105</sup>*

### Foreign Marriage and Inter-country Adoption

As trafficking becomes more sophisticated, methods have expanded to include arranged marriages. Under the guise of marriage, Vietnamese girls have been forced into sexually exploitative unions, particularly with foreign men. Through a complex set of contributing factors including cultural expectations of family and marriage, many examples exist of young girls who have been lured into foreign marriages only to be subsequently sold into prostitution in other countries.

*Between 1998 and 2007, over 150,000 Vietnamese women entered into marriages with foreign men from mainland China, Chinese Taipei and South Korea.<sup>106</sup>*

*Chinese men come to our village and ask us to find young girls for them to marry. But, we know the marriage is short term. When they get across the border, the girls can easily be sold to work in the sex houses there. (Interview with souvenir seller, 20 years old, Cat Cat Village, Lao Cai)*

While there is no available evidence that inter-country adoptions have been used as a form of commercial sexual exploitation of Vietnamese children, the Government of Viet Nam has previously identified this as a risk area and has worked to strengthen rules and guidelines relating to adoption in accordance with the Hague Convention.

## WHAT KEY LEGAL FRAMEWORKS ADDRESS CHILD SEX TRAFFICKING?

Until recently, child sex trafficking crimes were covered by provisions contained the Penal Code (1999) under which Article 120 prescribes a penalty of three to ten years imprisonment for those who trade in, fraudulently exchange or appropriate children, and Article 120 (2) prohibits trafficking for the purpose of prostitution and applies a penalty of ten to 20 years or life imprisonment. The Penal Code was supported by Decree 68.2002/ND-CP (10 July 2002) which governs under-age and foreign marriage as well as inter-country adoptions to prevent their use for child sexual abuse, child sex trafficking or other purposes.

However, in a positive sign that the Government of Viet Nam is committed to addressing human trafficking, the Law on Prevention, Suppression Against Human Trafficking was adopted by the National Assembly on 29 March 2011. Under the new law, Article 3 (1) reinforces the prohibition of trafficking as specified in The Penal Code and Article 3 (2) expands the definition of trafficking to specifically prohibit the transfer or receipt of persons for sexual exploitation. The new law also addresses prevention and victim care, but it does not assign criminal penalties to the newly prohibited trafficking offences and fails to criminalise attempts to commit trafficking offences. Furthermore, the Government of Viet Nam became a signatory to the international Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (also known as the Palermo Protocol) in December 2011 and must now proceed with applying standardised responses to trafficking, including the trafficking of

<sup>105</sup> CEOP (2010), *op. cit.*, p.10.

<sup>106</sup> ECPAT International (2011), *Viet Nam Global Monitoring Report, Bangkok, Thailand*, p. 10

children for sexual purposes. The laws, decrees, decisions, circulars and policies relating to trafficking are listed at Annexes 5 and 6.

The Government of Viet Nam has also signed Memoranda Of Understanding with Cambodia (October 2005), Thailand (March 2008) China (September 2010) and Lao PDR (November 2010) to prevent and control the cross-border trafficking of people. These bilateral agreements establish provisions for cooperation in identifying victims, exchanging information, investigating cases and rescuing and returning victims. In addition, Viet Nam is party to a joint regional MOU with Cambodia, China, Lao PDR, Myanmar and Thailand as part of the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT).

The introduction of the Law on Trafficking was not without controversy. The National Assembly debated the anti-human trafficking bill, questioning the definitions and its lack of attention to ethnic minority people and people facing economic hardship<sup>107</sup>. The stakeholder community watches with interest to see the evolving application of the law in coming years.

## WHAT KEY POLICIES AND SERVICES ADDRESS CHILD SEX TRAFFICKING?

While child prostitution is the most prevalent form of CSEC, child sex trafficking receives a higher level of attention and services. Here lies a critical difference between these two forms of CSEC. Child prostitution is an internal issue; it relies on national level acknowledgement, regulation, policies and services. Whereas child sex trafficking is frequently a trans-boundary issue, making it more visible and subjecting it to a higher level of scrutiny at the regional and international level. So, compared with child prostitution, child sex trafficking has captured the attention of national and international stakeholders, mobilising a large-scale response and securing reasonable funding for prevention and response initiatives in the past five years.

The Government of Viet Nam has taken important steps to address the movement of Vietnamese people across borders for labour and sexual purposes. The National Plan Against Trafficking (2004-2010) focused on improving prevention mechanisms, identification processes, investigation and punishment of trafficking perpetrators. It promoted enhanced education, job opportunities and community reintegration for victims, and provided funding for the construction of reception centres for returned victims at the Viet Nam-China and Viet Nam-Cambodia border locations. Mass organisations, concerned local agencies and international organisations also supported the provision of community-based support services for trafficked victims including legal advice and psycho-social support.<sup>108</sup> Other initiatives have included the establishment of bilateral agreements including MOUs with Cambodia, China, Lao PDR and Thailand; participation in regional initiatives including COMMIT; increased multilateral cooperation which has supported the establishment of reception centres for returned victims; delivery of community education programs at the commune level, including public awareness in high-risk border provinces; capacity building for police and border guards responsible for managing the movement of people and the return of victims at land, air and sea ports; and the establishment of rehabilitation programs with a focus on vocational skills and job creation for trafficking victims.

Building on this platform of protective infrastructure, international donors, UN agencies, NGOs and other organisations (including MTV EXIT and the Asia Regional Trafficking in Persons Project) have implemented strategic and practical initiatives to address sex trafficking in Viet Nam. Many agencies and organisations are working on broad issues of human trafficking and eleven of the agencies who contributed to this research are conducting specific initiatives to address child sex trafficking which span the continuum of prevention, protection and recovery services (refer to Annexes 2 and 3).

107 Ministry of Justice (2011), Ministry of Justice Website [online]: [http://moj.gov.vn/en/ct/Lists/Activities%20of%20Public%20Administration%20Reform%20And%20Jus/View\\_Detail.aspx?ItemID=62](http://moj.gov.vn/en/ct/Lists/Activities%20of%20Public%20Administration%20Reform%20And%20Jus/View_Detail.aspx?ItemID=62)

108 MOLISA and UNICEF (2009), *op. cit.*, p. 31.

In contrast to the situation of child prostitution, a sound body of research has been conducted into trafficking in Viet Nam and good practice initiatives are emerging. Social behaviour change is being addressed through the awareness-raising campaigns of multiple organisations. While IEC materials are being distributed in high risk communes, the MTV concert series funded by the Australian and US Governments prompted large-scale public awareness of trafficking. Successful scholarship programs have been conducted through cooperative arrangements with The Asia Foundation, USAID and Pacific Links which provide an opportunity for girls at risk of sex trafficking to continue their schooling. Organisations including IOM, UNICEF, Pacific Links and AAT have initiated specialist reception, recovery and reintegration centres for child victims of sex trafficking which address their particular needs and provide medical assistance, counselling, vocational training and life skills development to facilitate recovery and reintegration. Community based care for child victims of trans-boundary sex trafficking have heralded an important step away from institutionalised care. However, these services are not systematically provided to all child victims of sex trafficking. For instance, due to weak classification processes, child victims of internal sex trafficking aged over 16 have been sanctioned and placed in O5 centres for rehabilitation. Furthermore, there is not regular monitoring of the progress of children's recovery while they are located in these centres or after they have been reintegrated to the community. Care also needs to be taken that innovative community-based protection services, including foster-care models, don't re-expose children to sexual exploitation. A registration system and monitoring system needs to be established for those organisations and individuals who operate non-institutional community care services.

The recently approved National Program of Action (NPA) on Counter Trafficking (2011-2015) gives priority and allocates resources to a multi-pronged activity schedule which aims to enhance public and government awareness; strengthen investigation and prosecution; enhance identification, reception and reintegration; improve law enforcement performance; and promote international cooperation.

It is recognised that the NPA on Counter-Trafficking will make an important contribution to preventing the movement of people for labour and sex. However, child sex trafficking is one part of this broad policy and specialised efforts to reach children at risk and child victims of sex trafficking are not yet clearly defined. As a result, this report proposes a number of key initiatives to supplement the provisions of the NPA. In particular, the internal trafficking of children for sexual purposes demands more strategic attention and practical resources to prevent the movement of children into commercial sex within Viet Nam's borders. Children currently living in shelters have been returned through official channels, but little is known about those children who return themselves and they subsequently miss out on formal services and support. While information is emerging to suggest that boys are victims of sex trafficking, there are currently no specialised support services (including shelters) for boy victims. In terms of public education campaigns, greater coordination is required to prevent duplication and promote more targeted messaging. A detailed list of recommendations is included in Section Five.



## CHILD SEX TOURISM

### Key Findings:

- ▶ Tourism is growing rapidly. Viet Nam received over five million international visitors in 2010.
- ▶ While tourism is not the cause of child sex tourism, some foreign travellers are engaging in sex with children when they visit Viet Nam.
- ▶ Foreign citizens have sexually exploited children in Viet Nam. Girls and boys are at risk of child sex tourism.
- ▶ Although there have been no reported arrests of foreign child sex offenders since 2007, 76 per cent of children interviewed reported that they had received foreign sex customers.
- ▶ Foreign child sex offenders in Viet Nam include those operating in organised networks and those who engage in sex with children on an opportunistic basis.
- ▶ While child sex tourism is commonly reported in large cities, there is evidence that these crimes are emerging in new locations, including remote and mountainous areas.
- ▶ Vietnamese law does not contain provisions to criminalise child sex tourism, foreign child sex offenders are subject to the laws relating to prostitution contained in the Penal Code.

Viet Nam has experienced extraordinary tourism growth in the past decade. In 2010, Viet Nam welcomed 5,049,000 international visitor arrivals (IVAs), an increase of 34.8 per cent on the 2009 figures; amounting to Viet Nam's highest recorded intake of IVAs. Domestic tourism is also booming, and 25 million domestic travellers were recorded in 2009 (up 10 per cent on the previous year)<sup>109</sup>. Viet Nam's service sector is now emerging as the largest sector in the economy and the biggest contributor to the overall national growth rate. In part, this is due to the increasing cross-border trade and the large boost in tourism intake. Hospitality and entertainment services are developing in response to these changes<sup>110</sup>.

While tourism is not the cause of commercial sexual exploitation of children, child sex offenders use tourism services as a means to gain access to children for sexual purposes. Viet Nam has not been immune from this global problem. In 2005, Vietnamese police arrested a number of foreigners engaging in child sex offences. A list of reported child sex crimes committed by foreigners is included at Figure 2. At the time, it was suggested that increasing law enforcement in Thailand and Cambodia had resulted in the displacement of child sex tourists to new destinations including Viet Nam and Lao PDR. In 2006, Viet Nam was catapulted into the international media spotlight when British musician Gary Glitter was arrested for sexually abusing children in Vung Tau. Soon afterwards, it was suggested:

*Viet Nam is very vulnerable to becoming a significant child sex tourism destination. The number of cases and arrests of foreign men for child sex offences in Viet Nam just in the past two years point to an alarming trend.*<sup>111</sup>

However, since the beginning of 2007 there have been no reported arrests of foreign child sex offenders

<sup>109</sup> Data obtained in a qualitative survey submitted by the Viet Nam National Administration of Tourism (VNAT), June 2011.

<sup>110</sup> World Bank (2011), *Taking Stock: An Update on Viet Nam's Recent Economic Developments*, Annual Consultative Group Meeting, Ha Tinh, Viet Nam, p. 10.

<sup>111</sup> The Johns Hopkins University (2007), *op. cit.*, p. 34

in Viet Nam. Does this mean that child sex tourists are no longer operating in Viet Nam? Reports from multiple sources suggest that foreigners are continuing to engage in sex with children. While MOLISA does not have disaggregated data, it reported that the number of foreigners visiting Viet Nam for the purpose of prostitution is increasing and that foreign sex buyers account for over 10 per cent of the total number of customers engaging in sex with adult and child prostitutes in Viet Nam<sup>112</sup>.

## WHO ARE THE CHILDREN?

Child victims of sex tourism may already be working in prostitution or may have been trafficked for sexual purposes. 28 of the 37 child victims of prostitution and internal trafficking interviewed by the research team (76 per cent) reported that they had received foreign customers. Of the 14 child victims who had been trafficked to China or Cambodia, most reported that they had received customers from their destination country in addition to customers from other foreign countries, although they were sometimes unable to differentiate between Asian customers.

However, child victims may also be outside the boundaries of the sex industry. In some cases, children are unsuspecting victims who are groomed and lured with financial or other incentives. Children living in especially difficult circumstances are particularly vulnerable to sex tourism. This includes street children and orphans<sup>113</sup> in addition to migrant children who gravitate to areas where tourists are commonly found.

In the officially reported cases and in the information cases shared by child victims, it is apparent that foreign sex offenders have sexually exploited girls and boys in Viet Nam:

*It has happened that boys have been involved in sex in some tourist destinations. (Interview with the Supreme People's Court, Ha Noi)*

*The victims can be any age or background. It appears there are more girls than boys. But now we see that the abuse of boys is increasing faster. (Interview with VNAT, Ha Noi)*

## WHO ARE THE OFFENDERS?

*VNAT knows that a CST offender can be anyone. If the conditions allow it, anyone can be an offender. This can be foreign travellers from Western and Asian countries. It can also include domestic Vietnamese travellers. We have seen from the experience in other countries that the offenders can be any age, background, occupation, marital status, citizenship. (Interview with VNAT, Ha Noi)*

### **Nationality**

Citizens from Germany, Australia, Austria, the US and UK have been charged with child sex tourism offences committed in Viet Nam since 2005. Figure 2 outlines the cases of foreign child sex offences in Viet Nam between 2005 and 2006:

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112 MOLISA (2008b), *op. cit.*, p. 20.

113 USAID (2010), *op. cit.*, p. 9.

**Figure 2 – Foreign Child Sex Offences in Viet Nam <sup>114</sup>**

Country of Origin	Date of Arrest	Age	Sex	Profession	Details	Conviction/ Status
<b>United States</b>	June 2006	59	M	-	The offender made 20 trips to Viet Nam during the 1990s where he engaged in sexual conduct with Vietnamese girls under 16 years old. The offender was indicted on numerous charges, including sexual abuse of minor girls in Viet Nam, visa fraud, firearm possession violations and others.	Convicted in the US on all charges. Sentenced to 75 years' imprisonment.
<b>Australia</b>	2006	-	M	Volunteer working with street children	Child sex crimes in Viet Nam.	Wanted for alleged sex offences against children.
<b>Austria</b>	Dec 2005	68	M	English teacher	Since 1996, the offender abused several children in a number of countries. In late 2005, the offender was apprehended by Vietnamese police in HCMC on the basis of an international warrant and for sexual offences against Vietnamese minors. The offender was living with and sexually abusing a 14 year old boy, he also had sexual relations with other boys during his stay in Viet Nam.	Extradited to Austria to face charges in Jan 2006. Convicted in Austria and sentenced to eight years in a specialised prison for abnormal law-breakers.
<b>United Kingdom</b>	Nov 2005	61	M	Musician	Sexually abusing two girls aged 11 and 12years old in Vung Tau.	Convicted by a Vietnamese court and sentenced to three years' imprisonment. Ordered to pay 5 million VND in compensation to victims' families.
<b>United States</b>	May 2005	62	M	Truck driver	The offender was indicted under the United States Protect Act on charges of travelling to multiple Asian countries including Thailand, Cambodia, Viet Nam and the Philippines to knowingly engage in sexual acts with victims aged 7 to 15 years old.	Convicted in the US and sentenced to 121 months' imprisonment.
<b>Australia</b>	Mar 2005	51	M	-	Child sexual abuse against a Vietnamese girl in Da Nang. The offender committed sexual offences against an eight year old Vietnamese girl in a hotel swimming pool.	Prosecuted in Sydney under Australia's extraterritorial laws relating to Child Sex Tourism. Sentenced to 18 months' imprisonment.
<b>Germany</b>	2005	44	M	Medical Profession	Child sexual abuse against Vietnamese boys. The offender lured boys selling newspapers and working as shoe shiners to his hotel and molested them. (Nha Trang).	-

114 This information in this chart is largely drawn from *The Johns Hopkins University (2007)* which includes case study information derived from the media, NGO and government reports.

The 2011 TIP Report expands this list to include perpetrators from Japan, South Korea and Taiwan, China and Europe<sup>115</sup>. This information corresponds with the most popular source countries for international tourists visiting Viet Nam, as listed in Table 15:

**Table 15: Country of Origin for International Visitor Arrivals in Viet Nam (2009)**

Rank	Country of Origin	Number of Arrivals
1	China	527,610
2	United States	403,930
3	Korea	362,115
4	Japan	359,231
5	Taiwan	271,643
6	Australia	218,461
7	France	174,525
8	Malaysia	166,284
9	Thailand	152,633
10	Other	1,135,927

Information from many sources provides an emerging picture that foreigners from many countries are engaging in sex with children in Viet Nam:

*Some customers are Vietnamese, Viet Kieu and others are white or other foreign countries. (Interview with girl victim of prostitution, now 19 years old, HCMC)*

*When I was in China, the customers were mostly Chinese, but also some Vietnamese and also others maybe from other places in Asia, like Korea or Hong Kong. I don't know where, but the language was different. (Interview with girl victim of trafficking, now 18 years old, Lao Cai)*

*In Pham Ngu Lao we see African men. And, Vietnamese women often take them on their motorbikes (Interview with Smile Group, HCMC)*

While child victims reported a high volume of foreign customers, many were unable to identify the nationality of the clients:

*The customers are Vietnamese and overseas people. The overseas come from America, Korea other places. (Interview with girl victim of prostitution, now 17 years old, Phu Nghia Centre)*

*The foreign customers are white men. We just know they're foreigners. We don't know who. And, we don't know the country they come from. (Interview with girl victim of prostitution, now 17 years old, HCMC)*

## Gender

While all arrests of foreigners for child sex offences in Viet Nam have involved male offenders, information relating to foreign female offenders is emerging:

*Female offenders seeking boy prostitutes aged 13-15 years old, was also mentioned, albeit rarely, and these women were reported to be above 40 years old (ranging in age from 50 – 60 years old). Street children from Ha Noi maintained that females were usually more secretive than males and it was therefore difficult to identify whether male customers outnumbered female customers on the whole.<sup>116</sup>*

<sup>115</sup> US Department of State (2011), *opcit.*

<sup>116</sup> The Johns Hopkins University (2007), *op. cit.* p. 180.

While none of the children interviewed for the research had received a female customer, they shared anecdotes from their observations:

*Sometimes the women come from other countries, and they look for a Vietnamese boyfriend. But, the boys around Pham Ngu Lao, even the xe om drivers can be under 18 years old. (Interview with boy victim of prostitution, 17 years old, HCMC)*

### Age

Children reported that foreign customers were mostly middle-aged males between 40 – 60 years old. However, some children reported that the customers were younger:

*The first customer was from Australia. He was 20 -30 years old and he could speak Vietnamese very well. He asked me to go out with him, and he told me he had friends in Viet Nam. (Interview with girl victim of prostitution, now 17 years old, Phu Nghia Centre)*

### Occupations

Foreign child sex offenders have varied occupations. Similar to other Asian countries, foreign child sex offenders are seeking employment as English teachers in local schools or approaching local shelters for street or abused children to make the acquaintance of vulnerable children.<sup>117</sup>

*One time a man came here and asked to help the boys. He was around 50 years old, maybe from England. After that, he took one of the boys for an excursion. When the boy returned, he said he was very scared of the man because he asked him to go to the hotel with him. Now we have a strict registration process for volunteers. (Interview with Green Bamboo Shelter, HCMC)*

### Modus Operandi

Short term tourists usually access children via mediators including xe om (motorbike taxi drivers), karaoke bar owners and taxi drivers, or by befriending children (usually boys) who sell postcards, chewing gum and cigarettes in popular tourist locations. Expatriates adopt different methods, usually preferring to build a relationship with local children and ‘grooming’ them before their first sexual encounter.<sup>118</sup>

## WHERE ARE THE HOTSPOTS?

*CST can happen in any destinations in Viet Nam. Based on reports and information from the community, we understand that children are at risk in some of the big cities like Ho Chi Minh City, Ha Noi, Vung Tau and Nha Trang. However, we also know that the offenders are seeking new locations outside the cities including villages where they think they can be anonymous. In places like Hoa Binh, Sapa and Lao Cai we now have a lot of tourism. We know the problem can emerge in new locations. (Interview with VNAT, Ha Noi)*

Tourism destinations are often economic magnets<sup>119</sup>. Interviews with MPS and VNAT suggest that child sex tourism offences occurs in the most popular tourism destinations, including Ha Noi, Ho Chi Minh City, Hai Phong, Danang, Nha Trang, Hue and Sapa. However, as the global spotlight has drawn attention to the activities of child sex tourists in major cities, there’s been a growing tendency for offenders to procure children in rural and remote areas in search of anonymity:

*In Sapa, tourists are now going to ethnic minority communities because they speak English well. The tourists even stay at the home of local families because they believe they can avoid the police. We call this hidden prostitution. (Interview with Viet Nam Women’s Union, Ha Noi)*

117 The Johns Hopkins University (2007), op. cit., p 179

118 The Johns Hopkins University (2007), Ibid.

119. ECPAT (2008b), p.19

Many cases of foreign child sex offenders were reported in Ho Chi Minh City and Ha Noi:

*Shoe shine boys and lottery boys have a big problem. When they work on the streets, customers come and ask them to go for pho and in some cases the foreigners take the children back to the hotel. You can see them in Pasteur or Voi Thi Sao. There's a very high risk of these boys having sex with men because they have no money. Then they go to the pho shop or cafe and get invited to drink beer. When they get drunk they are at risk of going back to the hotel with the foreigners. (Interview with former male street child, now 19 years old, HCMC)*

*If you go to Pham Ngu Lao at 10pm, you can see children speaking and playing with foreigners. You can see them hold hands with foreigners and you don't know if it's CSEC or not. There is a very high risk, but the evidence is difficult to see. We know of girls in Pham Ngu Lao who are sponsored by foreigners. They receive mobile phones from them. We teach them how to protect themselves from the risks. (Focus Group Discussion with Thao Dan Social Protection Organisation, HCMC)*

In Sapa, the vulnerabilities for children are immediately obvious. Children work alongside their parents at a young age learning how to communicate with local and foreign visitors to derive an income from selling souvenirs. Local residents are aware of the risks:

*It's difficult in Sapa because children work at a young age so they meet a lot of tourists and learn how to talk to them. Children start work at a young age and have pressure at earning money to support families and if they can't earn enough from selling small things, they need to find another way to get money. (Interview with Xe Om Driver, Sapa)*



Child souvenir sellers in Sapa.

*In Sapa in 2007, the ethnic minority women reported that one male tourist visiting their home-stay asked if her children could go in the herbal bath with him. So, we know the problem can emerge in new locations outside the main cities. (Interview with VNAT, Ha Noi)*

Where tourism is developing in other ethnic minority communities, similar risks have been reported:

*We conducted a child protection training workshop in an ethnic minority village near Mai Chau in 2008. One family with a small home-stay business advised us that a solo Korean tourist had requested permission to take their children on a holiday to the beach. The family refused on the basis that they thought their child would drown, but when they participated in the training they realised the intention of the Korean man may have been related to child sex tourism. (Interview with VNAT, Ha Noi)*

While there is a perception that children living in poverty are at particular risk, the Social Protection Centre in Khanh Hoa that this is not always the case:

*Children from wealthy families are at high risk. For example, on Tran Quang Khai road and some other places, children from these wealthy families take lottery tickets to sell near the sea. There are many foreigners in this area, who may invite children to go the island for fun. (Interview with Social Protection Centre Staff, Khanh Hoa)*

## WHAT KEY LEGAL FRAMEWORKS ADDRESS CHILD SEX TOURISM?

Viet Nam does not have laws which specifically address child sex tourism. However, Article 5 of the Penal Code (1999) determines that the law applies equally to all people including foreigners, who commit offences in the territory of Viet Nam, except for those with diplomatic immunity or other consular privileges and immunities<sup>120</sup>. In accordance with the provisions under the Penal Code, foreign citizens have been prosecuted and convicted of child sex crimes in Viet Nam. Article 6 of the Penal Code establishes extraterritoriality which allows Viet Nam to prosecute Vietnamese national citizens for crimes committed outside national borders. This provision extends to Vietnamese nationals who commit child sex offences in other countries. (See Annexes 5 and 6 for an overview of the legal provisions relating to CSEC).

While provisions exist to prosecute foreign child sex offenders, no cases have appeared before the courts since March 2006 when British musician, Paul Francis Gadd (more commonly known as Gary Glitter), was convicted for sexually abusing two Vietnamese girls (aged 11 and 12 years old) in his residence in Vung Tau. The immediate cessation of arrests since 2006 is particularly concerning especially considering the number of child victims who continue to report that foreigners are amongst their customers. Certainly, the case of high profile cases of Gary Glitter placed Viet Nam in the international spotlight. But, while the global community applauded Viet Nam's handling of the arrest, trial and subsequent conviction, media coverage soured and Viet Nam's decisions were negatively questioned when the original three years sentence was reduced for good behaviour in an annual jail amnesty program in 2007. Given the burgeoning national tourism industry and cognisant of the high levels of child sex tourism experienced by regional neighbours including Cambodia, Thailand and the Philippines, it is critical that Viet Nam escalates law enforcement action to deter and apprehend foreign child sex offenders. Police require specialist training to sensitively monitor and investigate cases of suspected child sex tourism in partnership with international law enforcers.

## WHAT KEY POLICIES AND SERVICES ADDRESS CHILD SEX TOURISM?

While MPS and MOLISA have overriding responsibility for dealing with offenders and protecting children from child sex crimes, the Viet Nam National Administration of Tourism (VNAT) has taken an instrumental role in working with the tourism industry to prevent child sex tourism crimes. In the past five years, VNAT has worked in partnership with international governments and NGOs to facilitate training of front-line tourism staff, deliver a national campaign on child sex tourism prevention and participate in ASEAN-wide initiatives to address the cross-border movement of foreign child sex offenders.

As international governments recognise the culpability of their own citizens in perpetrating sexual crimes against children in Viet Nam, increasing resources have been made available to prevent child sex tourism around the world. International Governments, UN Agencies and NGOs have supported and, at times, mobilised the commitment of the Government of Viet Nam to address this issue through capacity building for government staff, provision of curriculum resources, and delivery of joint training workshops targeting the tourism industry.

Since 2000, the Australian Government (through AusAID) has supported the Government of Viet Nam with the conduct of training for frontline tourism staff. Training has reached hotel staff, tour guides, souvenir sellers and other tourism stakeholders in Viet Nam's most popular and newly emerging tourism hotspots including Ha Noi, Ho Chi Minh City, Hai Phong, Nha Trang, Can Tho, Sapa and Mai Chau. Equipping frontline tourism staff with knowledge and skills to identify suspicious behaviour supports law enforcement efforts and, in 2005, as a result of the diligent reporting by hotel staff in Da Nang, an Australian citizen was convicted for sexually exploiting a Vietnamese girl in a hotel swimming pool.

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120 Socialist Republic of Viet Nam, (1999), *The Penal Code*, No: 15/1999/QH10 (English Version), Ha Noi, Viet Nam, p. 2.

The use of behaviour change communication tools has supported national efforts to address child sex tourism. In 2006, VNAT officially launched an ASEAN wide advertising campaign to prevent child sex tourism. The campaign was developed on a pro-bono basis by a social marketing company with materials funded by the Australian Government and supported by the private sector including the Vietnamese tourism industry and General Motors Daewoo. The campaign sought to encourage responsible tourists and local citizens to report suspicious behaviour to the Child Helpline (supported by Plan in Viet Nam). Formal market testing conducted by TNS revealed that prior to the campaign roll-out, 86 per cent of respondents believed child sex tourism was a problem in Viet Nam and 21 per cent had seen evidence of suspicious behaviour in Nha Trang. Twelve months after the campaign roll-out, 72 per cent of respondents believed child sex tourism was a problem in Viet Nam, 25 per cent had seen the campaign stickers and posters, and zero per cent had observed suspicious behaviour.<sup>121</sup>

While UNIAP has recently conducted training for the tourism industry and distributed IEC materials in high-risk locations, large scale child sex tourism initiatives have stalled since the conclusion of the AusAID's previous programming. However, activities are now due to recommence as the Australian Government prepares to launch the next phase known as Project Childhood, which will see the Government of Viet Nam work in partnership with UNODC and World Vision in a four-year, four country program to address social behaviour change systems and legal and regulatory frameworks to protect Viet Nam's children from foreign sex offenders.

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121 Farrington, A. & Dodds, A. (2007), *2007 ASEAN Child Sex Tourism Review*, Melbourne, Australia, pp. 35-36.



## CHILD PORNOGRAPHY

### Key Findings:

- ▶ The production and distribution of commercial pornography is occurring in Viet Nam and children are at risk of this form of exploitation. .
- ▶ Sexual abuse images of children are accessible on DVD, the internet and mobile phones.
- ▶ Children are increasingly exposed to pornography, including sexual abuse images of children either through exploration or incidental viewing.
- ▶ Children have been enticed and forced to participate in ‘body show’ and ‘chat sex’ with known and unknown viewers on the internet. Some children receive payment for their involvement. These images have been on-sold to third parties with or without the child’s knowledge.
- ▶ Child pornography is inherently linked (but not exclusive) to child prostitution, child sex trafficking and child sex tourism.
- ▶ Child victims of prostitution and sex trafficking report that Vietnamese and foreign customers collect images when they are engaged in sexual activities, mostly via mobile phone. Children are often powerless to refuse and are unaware of the later use of these images.
- ▶ Legal and regulatory frameworks have struggled to keep pace with the rapid advancement of digital technology. Urgent action is required to strengthen and enforce laws relating to the production and sale of child pornography and create safe online environments for children.

Child pornography is a pictorial depiction of child sexual abuse. When these sexual abuse images are sold, exchanged and distributed, child pornography is classified as commercial sexual exploitation. Children are at risk of commercial pornography. Photographs, digital images and video of child victims are circulating the national and global environment and can be easily accessed on DVDs, mobile phones and the internet; able to reach mass audiences in a matter of seconds.

The production, dissemination and storing of ‘debauched cultural products’ and child pornography is illegal in Viet Nam. However, authorities have struggled to keep pace with advancing technology and images are easily accessible to adults and children in the digital environment.

Limited data is available regarding child pornography in Viet Nam. Similar to other countries:

*The problem of online grooming and social networking sites is relatively new. As a result, literature is in its infancy and longitudinal studies of prevalence have yet to be undertaken.<sup>122</sup>*

<sup>122</sup> Ashley, J. (2008), *The Commercial Sexual Exploitation of Children in Illinois, Illinois Criminal Justice Information Authority, United States, p. 5.*

## WHAT DO WE KNOW ABOUT CHILD PORNOGRAPHY IN VIET NAM?

*Viet Nam has experienced rapid growth in internet penetration, outweighing its neighbors like Thailand or Philippines. Over the last years, Viet Nam has been one of the countries with highest internet growth rates in the world. Since 2000, the number of internet users in Viet Nam has multiplied by about 100.*<sup>123</sup>

In the past six years, internet usage has tripled in Viet Nam, expanding from 10 million users in 2005 to almost 30 million users in 2011.<sup>124</sup> Children are rapidly expanding their technological capabilities. The Ministry of Information and Communication reports that there were over one million on-line gamers in Viet Nam in 2009 and most of them were under 20 years old.<sup>125</sup> Young people have also embraced mobile phone technology, and are increasingly craving and keeping-up with new trends such as 3G technology and its mobile TV, video calling and internet access options. CEOP has observed the technological experience of children today:

*If you are 8, 9, 10 or even 11 years old, you have probably never known the world without the internet or mobile phones.*<sup>126</sup>

While the rapid advancement of new technologies has brought unparalleled opportunities, it has undeniably increased children's vulnerability to commercial sexual exploitation.

*Sexual offenders are using the internet to locate children for criminal purposes, including the creation of pornography, sex tourism, making contact with child prostitutes and establishing contacts for subsequent sexual assault.*<sup>127</sup>

The Government of Viet Nam has formally acknowledged:

*Pornography and bad culture came to Viet Nam and has stimulated the development of social evils.*<sup>128</sup>

Interviews and observational studies conducted by the research team revealed the availability of pornography in each of the five research locations. In Ha Noi, Khanh Hoa, Lao Cai, An Giang and Ho Chi Minh City, pornography was available for purchase from local DVD sellers. While, on occasions, the DVDs were not made available to the female members of the research team, the male members of the research team were able to locate pornographic DVDs on request. Disturbingly, children reported the ease of purchasing pornographic DVDs featuring children:

*It's very easy to buy pornography. There are many people selling it. I don't know if it's adults or children, but they always say you can see Vietnamese children selling their virginity on the DVD. (Interview with former street boy, now 19 years old, HCMC)*

*It's very easy to find the discs/CDs on child pornography. They sell for double the price. But, it is also very easy to be tricked because the seller often says that the DVD has Vietnamese children in sex activities, but maybe the disc only has adult pornography (Interview with Xe Om Driver, HCMC)*

123 Cimigo (2010), Viet Nam NetCitizens Report [online], Available at: <http://www.cimigo.vn/en-US/ReportDetail.aspx>, [Accessed 16 March 2011].

124 VNNIC (2011), Report on Internet Statistics of Viet Nam [online], Available at: <http://www.thongkeinternet.vn/jsp/trangchu/index.jsp>, [Accessed 14 June 2011].

125 Ngo Quang Huy, (2009) Towards a Safer Internet Environment for Children [online], presented at the APEC-OECD Joint Symposium on Initiatives among member Economies Promoting a Safer Internet Environment for Children, Available at: <http://www.oecd.org/dataoecd/63/57/43511920.pdf>, [Accessed 17 January 2011].

126 CEOP (2007), E-Bulletin Issue 13 [online], Available at: [http://www.tennyson.lincs.sch.uk/kids/documents/CEOP\\_NewsItr\\_iss13\\_281107.pdf](http://www.tennyson.lincs.sch.uk/kids/documents/CEOP_NewsItr_iss13_281107.pdf) [Accessed 5 July 2010], p. 3.

127 Choo, K, R. (2009), *op. cit.*, p. x.

128 Socialist Republic of Viet Nam (2008b), *op. cit.*, p. 2.

However, DVDs are now seen as old technology. The internet and mobile phones have replaced DVDs as the primary pornography medium in Viet Nam. Of the 100 most frequently visited websites in Viet Nam, 12 sites immediately access explicit pornographic or sexual content<sup>129</sup>. Many respondents reported the ease of access to internet and mobile phone pornography, mostly depicting adult pornography:

*We don't have to buy sex DVDs because we can see it on the phone and internet. I watch it on the internet. (Interview with boy lottery seller, now 16 years old, Chau Doc)*

*It's not uncomfortable now. We don't need to meet the DVD seller. We can go straight to the internet and see the pornography immediately. (Interview with taxi driver, HCMC)*

## WHO ARE THE VICTIMS?

Children are harmed by pornography in multiple ways including: when they are exposed to sexual images; when they are portrayed in sexual images; and when they are blackmailed with sexual images.

### Children's exposure to sexual images

Many children reported that they have viewed sexually explicit images and films:

*Yes, I viewed it. I bought the disc and viewed it at home. There were Vietnamese children about 12-13 years old in the video. (Interview with child at risk, Khanh Hoa)*

*We can easily buy it here. We don't have a video or internet. But we can see it on our phone. (Interview with girl victim of prostitution, 17 years old, HCMC)*

*You can see it even if you're not looking for it. It just comes on your computer. On the websites, they integrate the pornography into music clips so you see it accidentally and it's also more difficult for the authorities to shut down. (Interview with former street boy, now 19 years old, HCMC)*

A number of children explained that viewing pornography has taught them how to perform their sexual services or that it used by customers as a precursor to or stimulator during sexual activities:

*We viewed it with the customer before we engaged in sexual activity so we know what to do. (Interview with girl victim of prostitution, now 18 years old, Khanh Hoa)*

*There are both Vietnamese children and foreign children in those films. The male customers show me those films while we are engaged in sexual activities. (Interview with boy victim of prostitution, 14 years old, Ha Noi)*

### Children's portrayal in sexual images

14 child victims interviewed during the research reported that sexual images had been collected by their customers either with or without their consent. In some cases, the commercial element may not be known to the victim. Many expressed the powerlessness of their situation and their resulting inability to refuse photos or video:

*When I was in Cambodia, I once passed the next room and saw that the owner secretly put a camera to film us with the customer. The customer knows it, but the girls don't know. They had two rooms next to each other. One room was for sex and the other room was for filming everything secretly. When the police came, the owner would get alerted in advance and put the camera away so the police can't get any evidence. (Interview with recovering girl victim of trafficking, now 19 years old, HCMC)*

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129 Alexa Internet Inc, *The Top 500 Sites in Viet Nam* [online], Available at: <http://www.alexa.com/topsites/countries;3/VN>, [Accessed 11 Jun 2011].

*Some clients say they want to take a photo of us to keep as a souvenir. But, we don't know what they will do with it. But, we need money, and sometimes they're violent if we say no. (Interview with child victim of prostitution, now 17 years old, HCMC)*

*Many customers filmed and photographed me with the mobile phone while we were engaged in sexual activities. (Interview with child victim of prostitution, now 19 years old, Ba Vi 05 Centre)*

Some children who are not engaged in prostitution have also engaged in collecting and sharing sexually explicit images which are later used by offenders for commercial purposes. These children include school children, internet users, children who are dangerously exploring digital technology. Often they are curious but lack the cognitive ability or behavioural self management to resist sharing sexually explicit images. There is evidence that children are engaging in the practice of 'sexting' where they send naked images of themselves via mobile phone.

*We have limited data, but we know there are some incidents where Vietnamese school girls are undressing in front of the internet and school children are recording themselves having sex and sharing the films. We see the expansion of the internet may lead to the spreading of sexual images. (Interview with MOLISA, Ha Noi)*

Most often, children are unaware of the permanency of posting images in the digital environment. Once the image is sent, children have no control over how it is forwarded and international law enforcers have reported that sexting images are being located in the collections of paedophiles.<sup>130</sup>

Some children are actively engaged in the sale or dissemination of their own sexual images. Multiple respondents spoke of the emerging practice of 'body show' and 'chat sex' where children agree or were forced to upload sexual images or reveal their body via webcam for payment:

*There are three places in Ho Chi Minh City where you can go for chat sex: in District 10, Go Vap and District 8. Only people who know about it can go there. The places are divided into small cubicles. When you enter the cubicle, you can do whatever you want. The first condition before making an appointment is to agree on the price. They have a webcam and the picture is very clear. The cost is four times more expensive than normal internet. (Interview with male sex worker, 20 years old, HCMC)*

*There are many children using the internet in Nha Trang. Most of them are school students. They chat with foreigners via webcam (blue web), they engage in body show and sex chat. (Focus Group Discussion with Peer Educators, Khanh Hoa)*

*Ola website is the popular internet that you can come and chat with the others In Ola website: some girls volunteer to receive the money and show their body. (Interview with girl at risk, 17 years old, Ha Noi)*

It has also been suggested that information technology has made it easier for boys to engage in commercial sex:

*Boys don't usually operate in brothels. In the past, our work is out in the open. We had to wait in public places to meet clients and get money. We were very exposed. Now, we can do everything on the privacy of a computer. The web, internet, technology has changed the whole operational methods of children involving in sex. (Interview with male sex worker, 21 years old, HCMC)*

### Blackmailing children with sexual images

World Vision conducted a series of focus group discussions on CSEC in 2008. During the Ho Chi Minh

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<sup>130</sup> The Age Newspaper Australia (10 July 2011), *Scourge of the Schoolyard: How One Rash Moment Can Ruin a Young Life*, p. 4.

City focus group, the responses from children aged between 14 - 17 years old demonstrated their strong awareness that offenders collect images and video and use these to further exploit their victims:

*Abusers can take pictures and movies. If a child does not agree to whatever the abuser wants, the pictures or videos can be uploaded to the internet.<sup>131</sup>*

The Viet Nam Women's Union also expressed concern about this problem:

*When children are in chat rooms, the customer invites the children for pornographic performances via webcam. They promise they will pay some money and then children show their bodies. The customer will use those children photos to force them to do it again. They are frightened that if children don't do that they will post children's photo on internet. (Interview with Provincial Women's Union, Ha Noi)*

## WHAT ARE THE CONSEQUENCES?

Exposure to pornography can normalise highly violent and abusive sexual behaviours:

*Children turn to the internet and see a lot of sex. If they are not well-equipped with life skills and values, it gives them ideas of things they can try. First they may try inappropriate behaviours and then they realise they can make money from sex. Then they can seduce others to join them. (Interview with Save the Children in Viet Nam, Ha Noi)*

MIC delivered a presentation at an OECD Conference in 2009 and shared that a young Vietnamese boy raped a four year old girl by following instructions on a pornography website.<sup>132</sup>

## WHAT KEY LEGAL FRAMEWORKS ADDRESS CHILD PORNOGRAPHY?

Although the Penal Code (1999) was issued before the large-scale advent of child pornography on the internet and other forms of digital technology, Article 253 contains key provisions regarding the 'dissemination of debauched cultural products' which extends to those who produce, circulate, stockpile, transport, sell or purchase debauched cultural products. Penalties include fines of between five to 50 million VND and non-custodial sentences or imprisonment up to three years. Terms of imprisonment are raised to between three to ten years if the debauched cultural products contain images of juveniles. However, the Article 253 does not clearly meet the standards established by the OPSC, as the definition of 'debauched cultural products' is unclear and offences only relate to large quantities of debauched cultural products that are shared with more than one person. Refer to Annexes 5 and 6 for details of the legal provisions relating to child pornography.

Article 16 of the Ordinance on Prostitution Prevention (2003) expands the legal framework on child pornography by prohibiting agencies, organisations and individuals from producing, circulating, transporting storing, buying, selling, exporting, importing or publishing materials, products or information which may be rated as pornographic. The Law on Child Protection, Care and Education (2004), prohibits using, luring, and forcing children to buy and sell pornographic products. Decree No.14/2006/ND-CP (3 October 2006) provides administrative sanctions for allowing children to access pornography in the form of a fine.

The global experience reveals that law-makers have struggled to keep pace with the sophisticated techniques of child sex exploiters who increasingly use technology to expand their lucrative commercial endeavours. While Viet Nam's legal provisions make important strides towards criminalising the production and sale of child sex abuse images, further progress is needed to criminalise the possession

<sup>131</sup> World Vision Viet Nam, (August 2008), *Understanding Commercial Sexual Exploitation of Children: Youth Perspectives, Focus Group Discussion Notes, Haiphong, Ho Chi Minh City and Cam Thuy*, p. 2

<sup>132</sup> Ngo Quang Huy, (2009), *op. cit.*

and viewing of child pornography; to criminalise the solicitation of children for sexual purposes through ‘grooming’; and to establish formal reporting mechanisms for members of the public and those engaged in key industries (including information, technology, finance and communications) to report evidence of online child pornography.<sup>133</sup> During interviews for this research, the Government indicated that the legal frameworks relating to child pornography are under review.

## WHAT KEY POLICIES AND SERVICES ADDRESS CHILD PORNOGRAPHY?

While the Government of Viet Nam has attempted to control the distribution of harmful information, the rapid advancement of digital technology and the generality of existing laws contribute to the continuing emergence of child sex abuse images in Viet Nam. MOLISA recently acknowledged:

*State management towards cultural issues has been very weak in mitigating the prevalence of unsound cultural materials, internet, films containing violence and pornography<sup>134</sup>.*

The Ministry of Information and Communication (MIC) is responsible for the management, provision and use of internet services and responsibilities include granting approvals for internet webpage registration, the monitoring of internet usage, and blacklisting unauthorised sites and sites with unsuitable content. However, with 30 million registered internet users in Viet Nam, MIC’s task is overwhelming. Lessons from the international environment have applicability in Viet Nam. MIC and MPS will benefit from participating in international networks such as the Virtual Global Taskforce (an international alliance of law enforcement agencies working together to prevent and deter online child abuse) as Viet Nam works to strengthen its technical safety net for children.

How do we proceed with securing the internet environment and protecting children from viewing or being exploited through pornography? UNICEF has recently initiated a joint program with Yahoo to launch the ‘Yahoo Safely’ campaign which promotes enhanced internet safety. While not directly focused on child pornography, the campaign addresses on-line risks which can contribute to the distribution of sexual images. However, few other initiatives are being conducted to address child pornography, and greater attention is needed in this area in order for Viet Nam to meet its commitment to protect children in accordance with the OPSC. Given the concerning local and global indicators that digital technology presents increasing risks to children, a large scale initiative is required that links with large-scale private sector partners and seeks to garner the support of individual internet cafe operators to implement more robust internet safety measures for children.

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<sup>133</sup> ECPAT International (2011), *Viet Nam Global Monitoring Report*, Bangkok, Thailand.

<sup>134</sup> MOLISA (2011), *op. cit.*, p. 15

## SECTION THREE – CROSS CUTTING ISSUES

### CONDITIONS

#### **Number of Customers**

The majority of child victims interviewed by the research team reported that they received more than five customers each day (68 per cent of respondents) with the majority suggesting that five to six customers was a normal daily occurrence. One trafficked girl who had recently returned from China was deeply distressed when she reported that she had been forced to receive more than one customer per hour – maybe 30 customers per day. Her counsellor advised she had only been in China for one week but had received terrible internal injuries due to the persistent abuse. Table 16 outlines the average number of customers the child respondents receive each day:

**Table 16: Child Victims – Number of Customers Each Day**

How many customers per day?	Number of responses
1-2 customers	4
3-4 customers per day	4
5-6 customers per day	11
7-9 Customer per day	4
More than ten customers per day	2

Both girls and boys reported that the younger children receive more customers:

*When I talked to the older people here, I realised that they only have to serve five to six customers per day. But I was young and I had to serve more. Even when I was sleeping, they work me up to serve the customers. Sometimes I could hardly walk from so many customers. (Interview with girl victim of prostitution, now 19 years old, Ba Vi 05 Centre)*

Many children do not keep count of the customers they receive each day. As some said:

*It depends on the day and the customers. Some days I serve ten customers, some days I have only two or three customers. (Interview with girl victim of prostitution, now aged 17 years old, Ha Noi)*

*Some days are busy, some days are quiet. (Interview with girl victim of prostitution, 16 years old, HCMC)*

A number of children reported that they had to meet a few customers at a time.

*Sometimes there were two customers at one time. (Interview with girl victim of prostitution, now 19 years old, Khanh Hoa)*

#### **Earnings**

The price paid for sex with children varies depending on the situation of the child. Girls who had been trafficked to China or Cambodia reported that they did not receive any income, as the fees were taken by the brothel owner to pay back the price they paid for the girl. Other children received only minimal amounts:

*Hoa (the brothel owner), said he paid Toan (the trafficker) 500,000 kips (US\$52) for each girl sent by him (from Viet Nam to Lao PDR) and would pay 10,000 kips (approximately USD\$1) to each girl after they had sex with customers.<sup>135</sup>*

<sup>135</sup> Thanh Nien News (14 May 2007), *op. cit.*

Girls and boys engaging in prostitution as independent operators (working in parks or public places) reported the highest income at approximately 200,000 VND (USD\$10) per customer, but they have the least protection and are frequently forced to negotiate cheaper rates and they are often cheated by their customers after the service was provided:

*We don't want to go for less than 200,000VND (USD\$10), but if we have no money and no food and someone offers us 100,00VND (USD\$5), sometimes we have to accept.' (Interview with girl victim of prostitution, 16 year old, HCMC)*

*Maybe boys earn a little more than girls. The lowest price for girls is around 200,000 VND (USD\$10). If boys are handsome, they can earn more money. But, if they are not, then the price goes down. (Interview with boy victim of prostitution, now 16 years old, HCMC)*

*They are not good; some don't want to pay (Interview with girl victim of prostitution, now 19 years old, Khanh Hoa)*

*The highest price is one million VND (USD\$50) for one night. The night includes all food and travel. This is with VIP clients that I meet on the internet.*

Clients offered to pay more for certain services and due to the power relationship, girls were often forced to agree to oral sex, no condoms or violent treatment. Some girls received in-kind payments of food and accommodation. In some cases, the customers left without any payment.

*There was a couple who stayed in my hotel. They stayed for a few days. The girl told me that each time she stays with that man for a few days and they have sex he gives her money and buys things (dried fish) for her to take home. Her family is very poor so with these things he buys and the money he gives they can survive for a few months and then she will go with him again. (Interview with Hotel Staff, Khanh Hoa)*

Of the girls who knew the amount paid for their virginity, the price began as low as 500,000 VND (USD\$25) to the highest price of 30 million VND (USD\$1,500). Most prices were between two to ten million VND (USD\$100 – 500). In the cases where the girls received the money, part had to be paid to their employer. In trafficking cases, most girls did not receive any money for the sale of their virginity. However, inferences were made that the parents, relatives or other who sold them received the money:

*It is said that a customer can buy virginity in Lao Cai for six - seven million VND. The children are mostly working in hotels and restaurants. (Interview with restaurant staff, Sapa)*

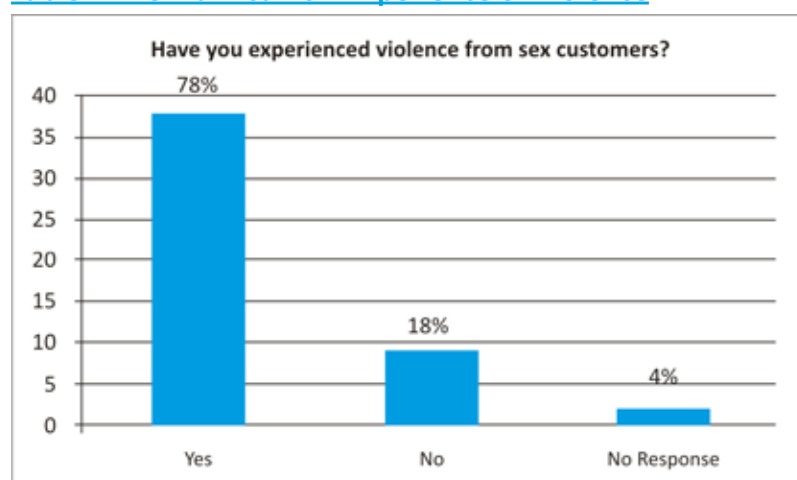
*There was a case I knew of a very young girl but I don't know how old she is, maybe 14 or 15. She gave me her mobile phone number and asked me to find the client for her so she can sell her virginity with the price of 15 – 17 million VND (USD\$750 – 850). She promised a commission of 2-3 million VND (USD\$100 – 150) if I did so. I didn't want to because I have my own daughter. (Interview with Taxi Driver, HCMC)*

## **Violence**

Violence is a common experience for child victims of prostitution and sex trafficking. The majority (78 per cent) of the girl and boy victims interviewed for the research reported some form of physical violence or emotional abuse by their customers and/or the brothel owners (see Table 17):



**Table 17: Child Victims – Experience of Violence**



*The customers were very rude and treated me like a toy and did whatever they wanted. They would beat me, scold me, and swear at me. (Interview with girl victim of prostitution, now 19 years old, Ha Noi)*

*A few customers are polite, but some are very aggressive. They hit me and hurt me. One time I swore during the pain of sex and the customer punched me. (Interview with recovering victim of prostitution, now 17 years old, Phu Nghia Centre)*

*They consider me a sand bag and they acted so forcefully that I bled. They often shouted at me. (Interview with girl victim of prostitution, now 17 years old, Khanh Hoa)*

*All customers treated me like an entertainment. They didn't respect me or treat me in a human way. They demanded a lot from me, and if I didn't satisfy them, they reported me to the owner and I was punished. (Interview with girl victim of internal sex trafficking, Ba Vi, O5 Centre)*

Many children required medical treatment for the harm caused by their customers:

*Each day, I had to receive two or three customers from many countries. They were Vietnamese, Cambodian and foreigners. I didn't have photos or video taken, but two times I was violently beaten. Once I was beaten by a man from the north of Viet Nam, the other time by a Cambodian man. I was taken to hospital, but I had to pay for the treatment myself. I attempted to escape, but I failed because we were all supervised 24 hours a day. I couldn't leave that place. I stayed there for four months, then the police came and they took us out of that place. (Interview with girl victim of sex trafficking, now 16 years old, An Giang)*

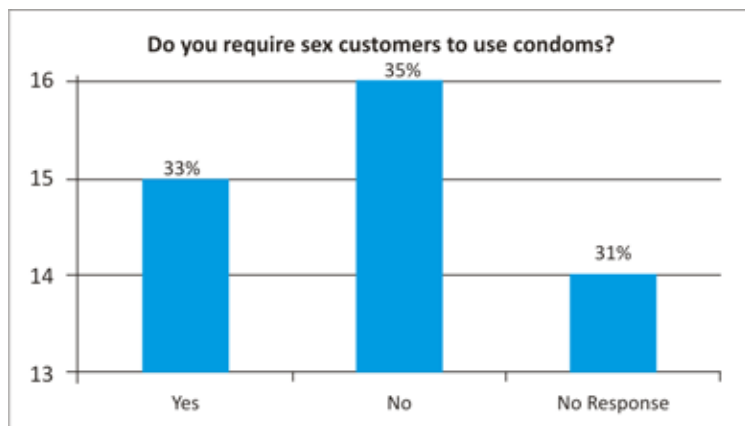
## **Condoms**

15 of the children interviewed (33 per cent) reported that they always use a condom. Some children were particularly resolute in their demand for condoms:

*They offer to pay more for no condom. We don't agree. We leave if they refuse a condom. We have to buy the condom ourselves. It costs 10,000 VND (USD\$0.5) for three condoms. We buy them at the hotel. They keep them under the counter. (Interview with girl victim of prostitution, now 17 years old, HCMC)*

However, 16 of the children interviewed (35 per cent) reported that they sometimes didn't use condoms. Table 18 provides a summary of the responses provided by child victims in relation to condom usage:

**Table 18: Child Victims – Use of Condoms**



While there was a high level of awareness regarding HIV and sexually transmitted diseases and condoms are readily available, children explained that they are often powerless to resist the demands of customers and vulnerable to promises of extra payment for non-condom usage. While children working independently make more choices about condoms, girls working in brothels reported:

*We have no control in the brothel. The owner allows the customer to do what they like. (interview with child victim of sex trafficking, now 19 years old, HCMC)*

Other respondents advised:

*Some customers force me not to use the condom. I'm afraid, but I need the money, so I have to agree. (Child victim of prostitution, now 17 years old, Khanh Hoa)*

*Girls know but they often don't care about HIV. They don't want to lose a customer. (Interview with former sex worker, HCMC)*

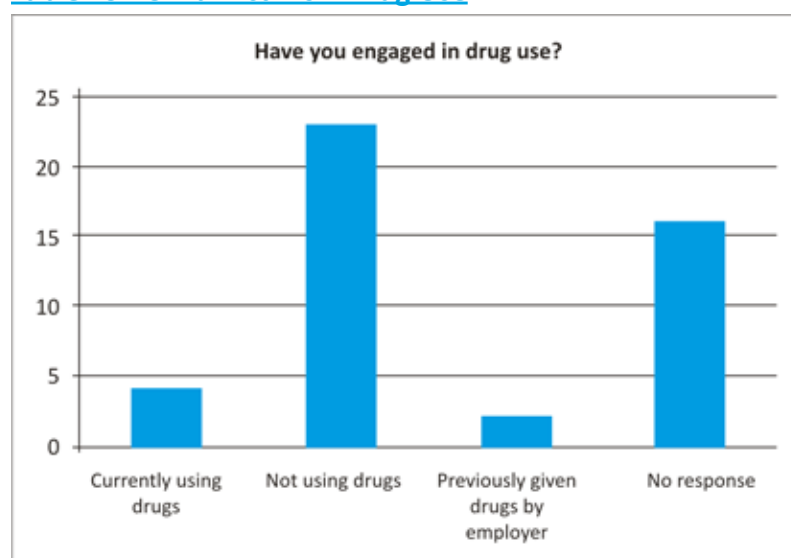
### **Drug Use**

Of the 29 children who responded to questions about drug taking, only four (13 per cent) were currently using drugs:

*I use white heroin. It costs me 100,000 VND (USD\$5) each time. I need it four or five times a day. If you don't know where to buy it, it's very difficult to find. Now my life involves finding customers so I can pay for drugs. But, I need the drugs so I can face the customers. (Interview with girl victims of prostitution, now 17 years old, HCMC)*

Table 19 outlines the incidence of drug use as reported by child victims:

**Table 19: Child Victims – Drug Use**



Four girls reported that they were previously given drugs by their employer. Two of these girls were victims of cross border trafficking, one was a victim of internal trafficking and another was a victim of prostitution:

*I didn't take the drugs by choice. They put it in my drink. (Interview with girl victim of trafficking, now 18 years old, Lao Cai)*

*The customers sometimes used medicine (drugs) when they came for sex. And, at the brothel, the owner gave me medicine. I got fat from that medicine. I don't know what it was, but before I was normal weight. (Interview with girl victim of trafficking, now 15 years old, An Giang)*

### **Pregnancy**

17 of the 35 girls who responded to the question about pregnancy reported that they had become pregnant. More than half of the girls who became pregnant, terminated their pregnancy. Nine girls reported that they had received abortions (two girls had each had more than two abortions). Eight of the girls had children:

*I have one baby already and I aborted two. (Interview with child victim of prostitution, now 18 years old, HCMC)*

*One time I was pregnant, but I received an abortion. I didn't know if I was pregnant from my boyfriend or the customer. (Girl victim of prostitution, now 17 years old, Khanh Hoa)*

Tables 20 and 21 outline the responses of child victims regarding their pregnancy situation and outcomes:

**Table 20: Child Victims - Situation of Pregnancy**

Pregnancy Situation	Number
I have been pregnant	17
No pregnancy	18
No response	10

**Table 21: Child Victims – Outcome of Pregnancy**

<b>Outcome of pregnancy</b>	<b>Number</b>
I have children	8
I had one abortion	7
I have had 2 or more abortions	2

Interviews with girls who have been pregnant revealed that many continued working until the later terms of pregnancy. Most had limited awareness about maternal health, child birth or caring for a newborn baby. Limited information was often shared by other girl victims of CSEC or adult sex workers. Many pregnant girls did not receive medical assistance until they went into labour. While some shelters and charitable organisations provide in-situ assistance to pregnant girls under 18 years old, there is currently no centre which is equipped to provide care and support for pregnant victims of CSEC.

## IMPACT

Children suffer immeasurable harm as a result of commercial sexual exploitation. The physical, psychological and social impacts which have been well-documented by international specialists were commonly observed by respondents during the field assessments in Viet Nam.

Staff working at rehabilitation centres and shelters work directly with child victims. Responsible for providing health care, counselling and trauma recovery as children begin their rehabilitation, these staff are highly conscious of the impact on children's lives and many shared their experiences of working with child victims of CSEC.

Physical injuries are usually the most obvious condition presented by child victims. Children are often bruised, scarred and carrying other physical illnesses which result from their exploitation. Reproductive health issues, sexually transmitted diseases and other communicable diseases were commonly experienced by children.

*We received a 17 year old girl two days ago. She was only in China for one week, but she had to have sex with so many customers that she became ill. When she visited the doctor, he said she has severe damage to her reproductive organs and helped her to escape. When she arrived here, we also learned that she has other serious problems including tuberculosis, after only a short time in China. (Interview with staff of the Social Protection Centre, Lao Cai)*

Child victims of sex trafficking, prostitution and sex tourism are also susceptible to unwanted pregnancies, drug abuse and HIV infection. In 2009, the Ministry of Health estimated that 4,720 children were living with HIV in Viet Nam<sup>136</sup>. MOLISA reported that drug users, homosexual men and prostitutes have the highest rates of HIV-infection in the country, and that approximately 30-40 per cent of Vietnamese prostitutes are infected with HIV:<sup>137</sup>

*80 per cent of prostitution in Nha Trang have STD, there are seven per cent have HIV. (Focus Group Discussion with Peer Educators – Khanh Hoa)*

*Some get HIV, but they try to hide it because the customer won't go with them. They don't talk about it. But recently one of the girls died of HIV. She was sick for some time. They found her in the park toilet. (Interview with girl victim of prostitution, now 17 years old, HCMC)*

*Men who have sex with men (MSM) in Viet Nam's urban centres is increasing in numbers and visibility . . . The available data shows that they are at increased risk for HIV infection due to high numbers of sexual partners, high rates of unsafe sex, and inconsistent condom use . . . These men are also at high risk for HIV infection<sup>138</sup>.*

Psychological trauma is also commonly experienced by children and has long-term consequences. Rehabilitation staff report that children frequently present with depression, aggression, fear, mental disturbances, sleeping problem and low self-esteem. Many children experience learning difficulties and are unable to concentrate which affects their future employment prospects. All of the centres visited during the field assessments advised that child victims are monitored closely due to suicidal tendencies.

*When we receive victims at the Border Control Post many have psychological problems and confusion. (Interview with Border Control Post, Lao Cai)*

136 UNICEF (2010), *op. cit.*, p. 211.

137 Nguoi Lao Dong (1 May 2011), *One Third of Sex Workers have HIV* [online], Available at: <http://www.lookatVietNam.com/2011/05/one-third-of-sex-workers-have-hiv.html>, (Accessed 24 May 2011).

138 Colby, D., Nghia Huu Cao, Doussantousse, S. (2004), *Men who have Sex with Men and HIV in Viet Nam: A Review*, *AIDS Education and Prevention*, 16(1), pp. 45–54.

*Many of the children who are returned from China have psychological crisis. Some of them have huge fears even for those who are rescued in Viet Nam, they are very, very frightened. (Focus Group with Social Protection Centre, Lao Cai)*

Social impacts for a child include lack of family acceptance, discrimination and an inability to communicate with other people. The social consequences of CSEC also serve to threaten a child's readjustment:

*There is a social and an economic impact on the family because they must cover expenses for the children's recovery. This can cause disharmony in the family. There are other reasons the families don't accept their children. Sometimes they are ashamed. Sometimes they blame the child. It makes it very difficult for the child to go home and resume a normal life. (Focus Group Discussion with Social Protection Centre Staff, Lao Cai)*

UNICEF recognises that the devastating impact on children has wider reaching consequences that affect Vietnamese society:

*While the direct impact of a society's failure to adequately protect its children is difficult to quantify and the impact on poverty is not directly documented, it is recognised that abuse, violence and exploitation of children are fundamental social problems that have implications not only for the well-being and rights of children, but for the long term well-being and stability of society.<sup>139</sup>*

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<sup>139</sup> UNICEF (2010), *op. cit.* p. 210

## SECTION FOUR – CAUSAL ANALYSIS

The commercial sexual exploitation of children cannot be explained through a single cause. Nor do the steps that lead children into commercial sex follow a common linear progression.

*[Rather, there are] a wide range of factors and layers of vulnerabilities related to children as individuals, their families, and the socio-economic context in which they live. Child victims are rarely affected by only one factor; rather, it is the compounding of several factors that renders them susceptible to being exploited.<sup>140</sup>*

In order to prepare recommendations and promote solutions to the commercial sexual exploitation of children, it is first necessary to explore the complex hierarchy of causes. Rational decision-making requires a logical analysis of the causes of a problem.<sup>141</sup> To achieve this objective, the research team sought input from all target groups consulted during the study about their perceptions of the causal factors relating to CSEC. The most common responses have been categorised according to the causal analysis hierarchy (see Figure 3) which includes structural, underlying and immediate causes.

### STRUCTURAL CAUSES

*In terms of child protection, it is no longer enough to address the immediate causes and risk factors that make children vulnerable to abuse, neglect, exploitation and violence. It also requires actions that will tackle the root causes that have given rise, and will continue to give rise, to the especially difficult circumstances that lead to serious violations and non-fulfilment of children's rights<sup>142</sup>.*

Structural causes are at the foundation level of commercial sexual exploitation. They include the political, economic, social, historical and cultural basis which contributes to the underlying and immediate causes. Government leaders are usually the duty bearers in relation to structural causes.

### UNDERLYING CAUSES

Underlying causes are often the consequence of policies, laws, social circumstances, economic factors and the availability of services and resources.

#### **Economic Factors**

While poverty is one of many factors that culminate to push children into exploitative situations, poverty alone is not the reason why children are sold into commercial sex.<sup>143</sup> Rather, poverty creates situations where the risk to children is exacerbated. In Viet Nam, the common realities see families migrate to urban areas in search of work; parents neglect their children due to economic pressure; children discontinue school because they cannot afford school fees; children move to the workforce at an early age; debilitating debt caused by the increased cost of living and high-interest loans from unscrupulous money lenders. The Asia Foundation explain that the vicious cycle of poverty results in landlessness, limited educational opportunities and lack of access to reputable financial institutions creating

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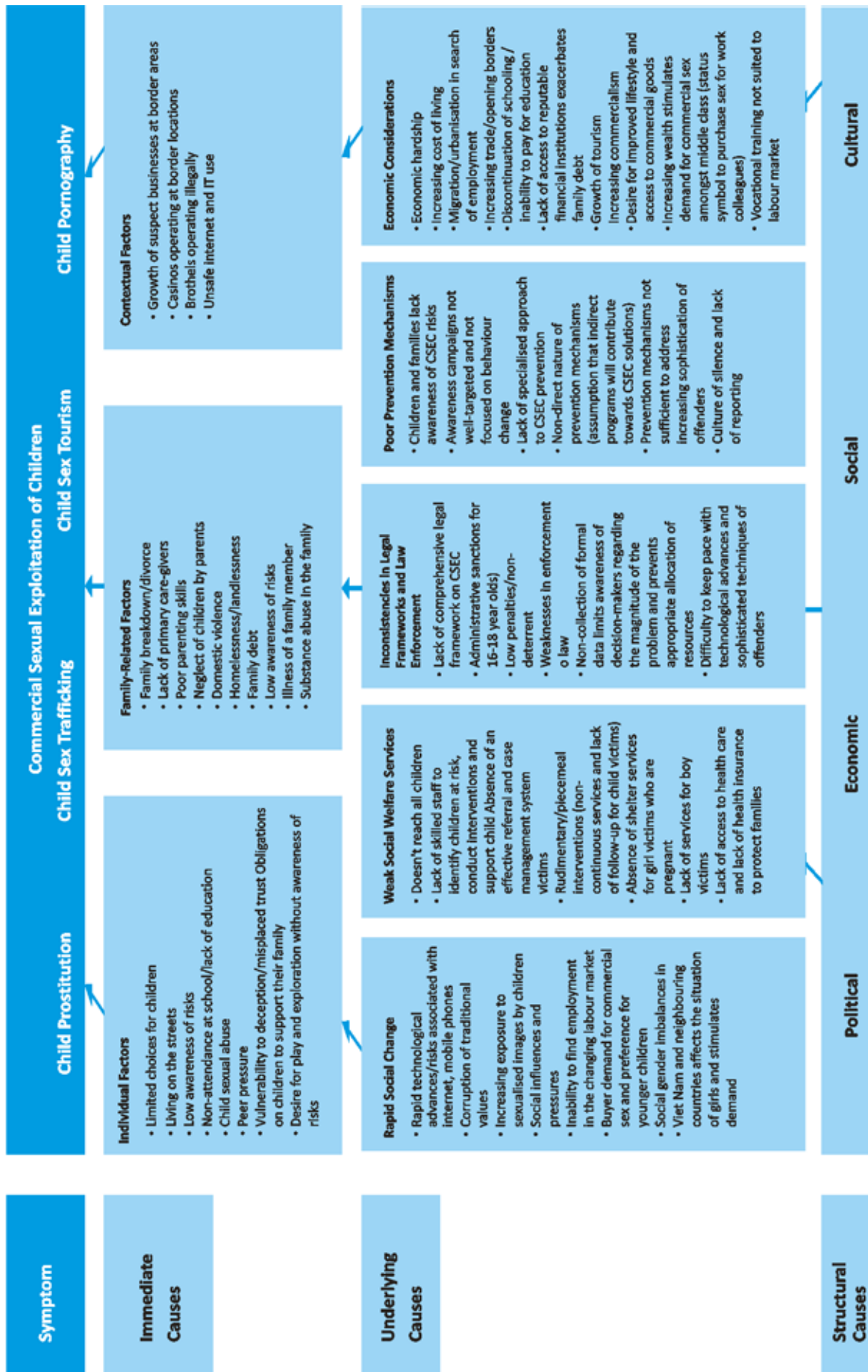
140 UNICEF EAPRO (Aug 2009), *Child Trafficking in East and South-East Asia: Reversing the Trend*, Bangkok, Thailand.

141 Jonsson, U. (2003), *Human Rights Approach to Development Programming*, UNICEF, p. 33.

142 Special Committee for the Protection of Children (2006), *Protecting Filipino Children from Abuse, Exploitation and Violence*, Manila, Philippines, p. 5.

143 UNICEF (2001), *Profiting from Abuse: An Investigation into the Sexual Exploitation of our Children*, New York, United States, p. 21.

**FIGURE 3: Causal Analysis Framework**





burgeoning household debt, and it is this compounding of factors that causes girls to become victims of exploitation and deception, often being coerced into the sex trade.<sup>144</sup> Many observers recognised these compounding negative effects of economic hardship which increase children's vulnerability:

*Poor families have many financial difficulties, so children have to work to earn money. But, children are trusting and they listen to people who promise to find them an easy job with a lot of money. (Interview with the Peace House, Ha Noi)*

*Migrant children face high risk. If children are living in a stable community, they have good interventions. But migrant children live in an unstable environment. They live in slums near new modern areas and they move from the slum to the city looking for livelihood (food and finance). This makes them very unsafe. (Focus Group Discussion with Thao Dan Social Protection Organisation, HCMC)*

*In poor communities there is generally a high rate of illiteracy and marketable skills. These conditions make it easier for procurement agents to obtain children for the sex trade from urban slums and poor rural villages.<sup>145</sup>*

In some cases, families are naive to the risks faced by their children. But, studies conducted in Cambodia and southern Viet Nam reveal that some families are complicit in selling or encouraging their daughters to enter the sex trade:

*If you cannot repay your debts, you have to sell your daughter.<sup>146</sup>*

*Khmer women are often tricked or kidnapped into their first work experience. This is usually not true for Vietnamese women and children. Trafficked Vietnamese women and children are normally motivated to stay in the brothel and work. While a few appear grateful to be 'rescued', many such persons, especially Vietnamese, expend considerable energy in getting back to the brothel from which they were rescued. The explanation lies in the debt contract<sup>147</sup>.*

*Over one year, I observed four families from Chau Doc caught in the trap of informal credit, due to which at least one girl prostituted herself.<sup>148</sup>*

In other cases, children explained that they made decisions to enter prostitution in order to financially support their family without the knowledge or consent of their parents:

*I thought if I had more money I could help my parents. That's why I agreed. My parents didn't want me to give them money, but I knew they needed it. When I got caught, my father came to the centre and asked me why I'm here. He cried a lot. (Interview with child victim of prostitution, now 17 years old, Phu Nghia Centre)*

While vulnerabilities are exacerbated for families living in economic hardship, the increasing affluence of the middle class also contributes to commercial sex. Children and families expressed their desire for an improved lifestyle and access to commercial goods. In Ha Noi, children living in difficult circumstances shared their growing commercial desires:

*The 16 – 17 year old girls want to have a luxury life. They want to have beautiful clothes. (Focus group discussion with children at risk, female – 18 years old, Ha Noi)*

*Young people want to be connoisseurs. They like money. So, they are easily tricked by people and easily trust people. (Interview with girl at risk, 14 years old, Ha Noi)*

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144 The Asia Foundation (2009), *op. cit.*, p. 12.

145 UNICEF (2001), *op. cit.*, p. 21

146 Reimer, J.K. (May 2006), *At What Price Honour? Research into Domestic Trafficking of Vietnamese Girl Children Into Sexual Exploitation, From Urban Slums in Phnom Penh, Cambodia, Chab Dai, Phnom Penh*, p. 24.

147 Steinfatt, T. (2003), *Measuring the Number of Trafficked Women and Children in Cambodia: A Direct Observation Field Study* [online], Available at: <http://prevenhumantrafficking.org/storage/article-downloads/MeasuringTheNumber3.pdf>, [Accessed 20 January 2011], p. 23

148 Lainez (2011), *op. cit.*, p. 19

Some respondents reported that increasing wealth also stimulates demand:

*When living conditions improve, they want to enjoy more things. This includes sex with children. (Interview with MPS, Ha Noi)*

*The preferential policy for economic development in border areas provides conditions for boosting the trading relations between Viet Nam and the bordering countries. As trade has developed, the entertainment premises have also developed. The need for young female waitresses in these establishments has also increased as people have more income to spend on such services. (Interview with Border Guards, Ha Noi)*

### **Legal and Regulatory Factors**

In the past decade, the Government of Viet Nam has acted to install legal and regulatory frameworks which protect children from CSEC. Significant steps have been made in line with international laws and conventions. However, some gaps still exist, and these loopholes serve to perpetuate children's vulnerability. For instance, legal definitions of CSEC crimes are ambiguous and do not precisely align with the definitions specified in international conventions; the law does not adequately prohibit child pornography; there is no specification in law which expressly criminalises child sex tourism; and children aged between 16-18 years old are still subject to administrative sanction for their involvement in prostitution. Children's vulnerability is further exacerbated when law enforcement practices are weak:

*Adopting new laws and amendments and making amendments to existing laws is not sufficient to create a protective environment for children. Implementation is another challenge. Despite the enactment of various laws, many of the existing legal provisions that offer some protection are simply not implemented.<sup>149</sup>*

*The legal framework is enough. Don't give us more legal provisions; give us better application of the existing laws. (Focus Group Discussion with Thao Dan Social Protection Organisation, HCMC)*

Commercial sex crimes against children can also manifest when legal systems and structures are weak. The absence of a formal data collection system in Viet Nam prevents official tabulation of crime statistics. Without these statistics it difficult to design targeted prevention and response initiatives or advocate for suitable funding.

### **Access to Services**

Since 1994, the Government of Viet Nam has paid considerable attention to improving the population's access to education and health services. MOLISA reports that children's lives have significantly improved in these areas,<sup>150</sup> however, it is also recognised that the improvements have not reached all children equally. Interviews with child victims of CSEC revealed the direct and indirect connections between a family's lack of access to education, health and social services and children's subsequent vulnerability to commercial sexual exploitation.

Almost half of the child victims interviewed had not completed primary school (48 per cent). Children reported that they dropped out of school due to lack of money, the need to find employment, boredom and desire to play. Five of the respondents had completed grade 10 or higher. Many had been performing well at school and would have liked to continue, but their studies had been disrupted following family migration, family crisis or lack of funds for tuition fees. Table 22 lists the highest level of education attained by each of the interviewed victims:

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<sup>149</sup> UNICEF (2010), *op. cit.*, p. 257.

<sup>150</sup> MOLISA, (2011), *op. cit.*, p. 3.

**Table 22: Child Victims – Educational Level**

Education Level		Number of Respondents
Primary School	Grade 2	4
	Grade 3	7
	Grade 4	8
	Grade 5	6
Junior High School	Grade 6	3
	Grade 7	2
	Grade 8	2
	Grade 9	3
Secondary School	Grade 10	2
	Grade 11	2
	Grade 12	1

The cost of education has increased, and girls in ethnic minority communities experience the highest school drop-out rates. Without education, many children face limited choices. Entry into the labour market is restricted; access to financial sources is hindered; and children report they feel hopeless and without options:

*I couldn't go to school because my family had no money. I can't write, so I can't get a job like the others. I need to eat and survive. When I came to the park, I felt I had no option. (Interview with girl victim of prostitution, now 17 years old, HCMC)*

*If they have no education or vocational training, it's difficult to avoid sex work. Many victims can't even write their name. They just sign with a cross. (Interview with Little Rose Shelter staff, HCMC)*

*We need school. Every day I see the new girls beginning to work in Sapa. And they are sad because they can't go to school. And, they are just like me when I was young, so I know the sadness. I wanted to go to school, but I had to help my family. Now, I didn't learn. And, now I'm 17 years old and just beginning to learn. I wish I had learned when I was young. (Interview with Ethnic Minority Girl, Sapa)*

Families living in poverty also have limited access to health care and the absence of health insurance places even greater pressure on poor families who face heightened health vulnerabilities due to their hazardous working conditions, poor nutrition and lack of basic health awareness. While health indicators have improved for the general population, access to basic health services is still difficult in poor communities. The interview team learned that seven children (13 per cent) became involved in CSEC to supplement the income or contribute to the medical expenses of a sick parent or sibling.

Until recently, the absence of formal social welfare and child protection systems in Viet Nam meant that services were fragmented and rudimentary. However, the recent approval of the National Program on Social Work Profession Development (2010-2020) is an important step not only towards recognising the profession of social work but instituting continuous and holistic interventions to detect, prevent, refer and treat cases of CSEC. Furthermore, the approval of the ten year Strategic Framework for Child Protection (2011-2020) and the accompanying five year NPCP (2011 - 2015) address key areas of vocational training, labour and employment, poverty reduction, social protection, social security, child protection and gender equality which will advance nationwide efforts to build a more comprehensive social security system<sup>151</sup>.

151 UNICEF (2010), *op. cit.*, p. 260.

## **Demand Factors**

Demand is a critical underlying cause. Children are at heightened risk of entering commercial sex due to the appetite of child sex customers who, for a range of complex reasons, seek to have sex with children. In child prostitution and child sex trafficking, it is the demand of these customers that contributes to the commercial market in children. Demand is not dissipating. In fact, cross-border gender issues, increasing tourism and increasing affluence are some of the factors contributing to the escalation of demand. Further research is recommended in this area.

## **Rapid Social Change**

Rapid social change diminishes community cohesion and traditional values; promotes enhanced commercialism; changes the nature of relationships; and heightens the exposure of children to sexualised environments and messaging. Children are more susceptible to CSEC in this changing social climate.

## **Cultural Factors**

Children's vulnerability is negatively influenced by ingrained cultural factors. Gender discrimination; a culture of physical punishments for children; a culture of silence regarding sexual issues; a culture of men engaging in extra-marital affairs; persistent superstitions that child sex and virgin sex bring fortune and luck all contribute to an environment which increase children's vulnerability to commercial sex.

## **IMMEDIATE CAUSES**

Immediate causes of CSEC relate to the individual and family-related factors which sit at the top of the causal hierarchy. When a child's immediate environment is positive, risks can be mitigated<sup>152</sup>. Conversely, children who experience adversity appear to be at a higher risk of CSEC.

## **Family Related Factors**

*The living environment still comprises many risks which drive children into special circumstances.*<sup>153</sup>

Many child victims of commercial sexual exploitation reported family dysfunction. Table 23 records the family situation of the child victims interviewed by the research team:

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152 UNICEF EAPRO (2007), *Child Protection Programme Strategy and Programming Process, Bangkok, Thailand*, p. 9.

153 MOLISA (2011), *op. cit.* p. 3.

**Table 23: Child Victims – Family Experiences**

Family Situation	Children in Prostitution	Child Trafficking for Sexual Purposes (Cross Border)	Child Trafficking for sexual purposes
(Inside Viet Nam)			
Poor family	21	4	3
Death of a parent/sibling	5		
Divorced parents	6	1	
Bad treatment by a step parent	5		2
Rape/sexual abuse	7		2
Rejected by parents after accidental pregnancy	1		
Homeless	4		
Sick relative	6		1
Orphaned	1		
Domestic violence	11	2	1
Parents alcoholism	8		
Drug Abuse	3		
Normal family situation	2	2	

Of the 51 child victims interviewed, 47 children (93 per cent) explained that they had experienced multiple factors of adversity in their family. Only four children (seven per cent) advised that their childhood was normal. Poverty, domestic violence and substance abuse, maltreatment by a step parent and child sexual abuse were commonly mentioned by the child victims. This is in accordance with the earlier findings of Johns Hopkins University which suggested that situations of family instability, domestic violence or child abuse are amongst the push factors forcing children to leave home and enter prostitution.<sup>154</sup>

More than half (52 per cent) of the child victims reported that their families were poor. Of the 32 children interviewed during who were victims of prostitution, 100 per cent were living outside the care of their parents or guardians when they commenced sex work. 26 (81 per cent) had moved from their home province to another province. In response to economic hardship and other difficulties, children are increasingly migrating to urban areas (either with their families or alone). Upon arrival in urban centres, children are at particular risk of CSEC:

*Child migrants are often more vulnerable to commercial sexual exploitation too because it easier to entice and control them: they are less likely to have anyone to rely on for support and advice; they desperately need money; and they are unfamiliar with their surroundings. In response to tensions in their relationships with urban dwellers and institutions, some child migrants choose to join groups or gangs, in some cases as a way of creating a family in the isolation of the streets.<sup>155</sup>*

### **Individual Factors**

Many circumstances in the child's immediate life can contribute to their entry into CSEC. Child sexual abuse is frequently cited mitigating factor for children's entry into the commercial sex trade in Viet Nam. While not all children responded to enquiries about sexual abuse, nine children reported that they had been raped or sexually abused by a family member or stranger before they entered prostitution.

<sup>154</sup> The Johns Hopkins University (2007), *op. cit.*, p. 177

<sup>155</sup> UNICEF (2010), *op. cit.*, p. 230.

*Many women who had been raped found themselves in commercial sex very fast after losing their virginity, with varying degrees of voluntariness.<sup>156</sup>*

For some children, their exposure to sexual activities from an early age is also a precursor to their own entry to CSEC:

*Children are born in families who do sex work. These children have to witness the scene of mother's job and are at risk of becoming prostitutes. (Interview with Provincial Authorities, Ha Noi)*

*In one case, a girl was 16 years old. Her mother was a sex worker and she became a sex worker. She's shy and she didn't want to do it, but her mother can't earn enough money. (Interview with HealthRight, Ha Noi)*

Five children reported that they had run away from home due to household problems including being sexually abused by family members or friends. Girls also cited broken relationships with boyfriends and accidental pregnancy as factors that lead to a downwards spiral into homelessness and prostitution.

Respondents from many target groups expressed that some children have a desire for play, adventure and exploration. When these inclinations are combined with a lack of life skills, the risk to children is exacerbated. These comments were forthcoming from rehabilitation centre staff and Provincial Authorities:

*Children like to play and imitate others. They can be pressured by friends or join gangs. Sometimes children want to prove themselves. (Interview with Provincial Authorities, Ha Noi)*

*Sometimes children are too playful and they want to have fun. They have a lack of life skills so they can't protect themselves. (Focus Group Discussion with Social Protection Centre Staff, Lao Cai)*

*One day they invited me to come to Ha Noi for several days for fun. After I spent all the money I didn't dare to go home. My friend was involved in prostitution before, and they persuaded me to work for several days to earn enough money to go home. That's how it started. (Interview with child victim of prostitution, now 18 years old, Ba Vi 05 Centre)*

Linked to play, children's growing technical capabilities, including their use of the internet and mobile phones, have advanced beyond their cognitive ability to assess risks to their personal safety. Internet friendships have created new opportunities for CSEC. Many respondents suggested that internet use and the prevalence of internet addiction open the path for children to enter CSEC:

*There are children who like to chat on the internet a lot. They chat so much they don't have money to pay. Then they become victims to 'internet rescue' where someone pays their debt in return for sex. (Interview with staff at the Peace House, Ha Noi)*

An examination of children's immediate paths into CSEC reveal that peer pressure, lack of awareness, misplaced trust and vulnerability to deception are immediate contributing factors (see Table 24).

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<sup>156</sup> Brown, E. (2007), *op. cit.*, p. 1.

**Table 24: Child Victims – Immediate Path into CSEC**

	Children in Prostitution	Child Trafficking for Sexual Purposes (Cross Border)	Child Trafficking for sexual purposes (Inside Viet Nam)
Friend tricked me	2	3	3
Relative tricked me		3	
Deceived/tricked by others		5	2
Sold	1	1	1
Friend asked me	11		
Help Family	8		
Needed money	8		1
Raped then no option	3		1
No job	2		
Employer forced me	3		
Addicted to internet		1	
Nowhere else to go	1		

When asked what could have prevented their entry into CSEC, the majority of children recommended awareness:

*Do propaganda to let children know that sex work is not good and you may get trauma and other problems. (Interview with girl victim of prostitution, now 19 years old, Khanh Hoa)*

*Children need more information so they can avoid the situation that I faced. If I knew about this before I would have been more careful. (Interview with girl victims of internal trafficking, now 19 years old, Ba Vi 05 Centre).*

*Children need more information so that they study hard and don't play computer games like me. (Interview with boy victim of prostitution, now 14 years old, Ha Noi)*

## SECTION FIVE - RECOMMENDATIONS

Since 1990, when Viet Nam was the first country in Asia and the second in the world to ratify the Convention on the Rights of the Child (CRC), exceptional changes have been accomplished in the lives of Viet Nam's children, particularly in the areas of education, health and poverty alleviation. However, despite laws, policies and services which address child protection issues, children continue to experience heinous sexual crimes including child prostitution, child sex trafficking, child sex tourism and child pornography.

The situation of child victims of CSEC is shocking and desperate. Solutions must build on past strengths and utilise existing policy provisions while recognising that new approaches are needed to address CSEC in a concerted and effective way.

The priority recommendations listed below propose urgent action and intensified effort to strategically and collaboratively address CSEC in Viet Nam. These recommendations comprise the consolidated solutions presented by Government, UN Agencies, Diplomatic Missions, NGOs, academics, private sector representatives, community members and children during the course of the research.

### Background

The beginning of 2011 saw the initiation of three new national programs which go some way towards addressing CSEC-related issues. The newly approved National Program of Action on Counter Human Trafficking (2011- 2015) and National Program of Action Against Prostitution (2011 – 2015) both commit to delivering important provisions to prevent sex trafficking and prostitution and supporting the victims of these crimes. While both plans have a broad scope and target, special attention is promised to children's issues. However, experience from the past decade, particularly in relation to the national policies on prostitution prevention that were implemented between 2001 – 2010, the National Policy on Street Children (2004 – 2010) and the National Plan of Action Against Trafficking (2004-2010), highlighted that children's special needs can become lost within broad policy frameworks. And, as a result, at the end of 2010, MOLISA acknowledged that the desired targets relating to children were not fully realised.

The recent launch of the National Program for Child Protection (NPCP) (2011 – 2015) is the first formal attempt to address child protection issues in a systemised way in Viet Nam. Under the NPCP, care and support program models have been designed to meet the special circumstances of seven groups of children, who, according to the definition stated in Article 40 of the Law on Child Protection Care and Education include street children, children with disabilities, orphans and children living with HIV. While the approval of the NPCP is a positive platform for continued change and improvement which has direct implications for CSEC, child victims of commercial sexual exploitation are not specifically included amongst the seven targeted groups of children. And, while it is possible that CSEC victims will indirectly benefit from the general protection provisions in the NPCP, the absence of CSEC-focused objectives, targets and budget presents a high risk that CSEC will be overlooked in the coming five year period.

Recognising that CSEC victims and children at risk of CSEC require special protection measures, the following recommendations are respectfully presented to complement (not overlap) the NPCP, the NPA Against Prostitution and the NPA on Counter Human Trafficking in order to purposely address the commercial sexual violations of children in Viet Nam.



## 1. Policy Framework

### **RECOMMENDATION ONE – PREPARE A FIVE YEAR NPA TO PURPOSELY ADDRESS CSEC**

- ▶ A comprehensive five year National Plan of Action on CSEC is required as a matter of urgency. This NPA should complement but expand upon existing policies by recognising that child victims of commercial sexual exploitation have very different experiences and needs to adults who are engaged in commercial sex or children who experience other special circumstances.
- ▶ For continuity of programming and non-fragmentation of services, MOLISA should be appointed as the national lead agency. The NPA on CSEC should be a joint plan instigated by MOLISA in consultation with relevant government ministries, departments and mass organisations including MPS, Border Guards, MOJ and VWU and invite key inputs from relevant UN Agencies and other stakeholders. MOLISA will require a dedicated team of staff to manage this function.
- ▶ The NPA on CSEC should:
  - Consider the key CSEC gaps not currently being met by the broader policy frameworks;
  - Determine desired objectives and targets to prevent CSEC and respond to special protection measures required by CSEC victims in the coming five year period;
  - Identify key activities which will achieve the desired objectives and targets;
  - Prescribe the responsibilities of all key duty bearers; and
  - Assess budgetary requirements and determine funding sources (including Government, International Donors, UN Agencies, NGOs, Private Sector).
- ▶ The NPA on CSEC should comprise an overarching Coordination Framework to support three inter-related Prevention and Response Systems (including Legal and Regulatory Systems, Social Welfare Systems, and Social Behaviour Change Systems) in accordance with UNICEF’s conceptual framework on child protection as highlighted in Figure 4:

**FIGURE 4 – Programmatic Interventions with a Prevention and Response System**<sup>157</sup>



157 UNICEF East Asia and the Pacific Regional Office (Jan 2009), *op. cit.*, p. 11.

## 2. Coordination Framework

### **RECOMMENDATION TWO – ESTABLISH A NATIONAL TASKFORCE ON CSEC**

- ▶ In the past there has been limited coordination between agencies working to address CSEC. To promote improved collaboration, it is recommended that MOLISA establish and lead a National Taskforce on CSEC. While MOLISA should be responsible for coordinating the involvement of concerned Government representatives at the central and provincial levels, UNICEF could take a joint coordination responsibility and liaise with key CSEC stakeholders within UN Agencies, NGOs, academia and the private sector. The Taskforce should meet on a bi-annual or quarterly basis to review progress against the NPA and conduct specific planning and evaluation of CSEC activities.
- ▶ The National Taskforce should conduct the following tasks: prioritise CSEC needs; prepare and implement annual CSEC strategies linked to the five year NPA; coordinate and mobilise activities to achieve the objectives of the NPA on CSEC and other relevant policy frameworks; ensure appropriate allocation of resources to achieve priority objectives; investigate emerging trends; prevent duplication of CSEC programs and initiate activities to address gap areas; share best-practice lessons; initiate independent monitoring and evaluation of CSEC services; and encourage sustained and concerted action on CSEC.

### **RECOMMENDATION THREE – PROMOTE REGIONAL AND INTERNATIONAL COOPERATION ON CSEC**

- ▶ Viet Nam must become an active participant in regional and international networks including Government-to-Government cooperation. This includes participation in regional and international conferences; implementing bilateral agreements; sharing data with relevant networks; and facilitating more streamlined identification and repatriation of child victims.
- ▶ Cross-sectoral cooperation includes participation in the networks such as the Virtual Global Taskforce (VGT) to combat online sexual exploitation of children; the United Nations World Tourism Organisation Global Taskforce for the Protection of Children in Tourism; and continued participation in the COMMIT process. There is a role for Government, UN Agencies, NGOs and the private sector in these cross-sectoral networks.

### **RECOMMENDATION FOUR – CONDUCT RESEARCH INTO CRITICAL CSEC AREAS**

- ▶ CSEC services should be informed by empirical research rather than being driven by donor funding and misguided assumptions. Key areas of CSEC require priority research attention including the emerging issues of child pornography and internal trafficking. Child prostitution is also under-researched and a more in-depth study is required into this issue to determine more suitable interventions and address the existing gaps in services for child victims.
- ▶ Resources should be allocated for research into critical CSEC areas with the aim of informing policy and program decisions. To prevent duplication, research areas should be discussed by the National Taskforce and agreement reached on suitable organisations to undertake particular studies. A matrix can be established which identifies key research being undertaken and the status of the research in order to better manage effective use of resources.

## **RECOMMENDATION FIVE – PROMOTE CHILD PARTICIPATION**

- ▶ Traditionally, children have not engaged in adult forums in Viet Nam. However, children have much to contribute to the development of policy and programming relating to CSEC and should be included as active participants in these processes. Meaningful child participation can be formalised through the use of youth advisory committees, community-based programs and peer-to-peer initiatives. MOLISA, Mass Organisations, and grassroots NGOs are well-placed to select children from varied groups to contribute to the development of the NPA and participate in the National Taskforce.
- ▶ Children’s contributions have positively influenced this research and child respondents indicated their willingness to support future child protection initiatives. Child participation should be promoted in meaningful ways which respect children’s rights and provide them with opportunities to contribute their experiences and solutions to influence decisions and programs that affect their lives.
- ▶ It is necessary to ensure marginalised children are considered in CSEC programming. Amongst child victims, boys, pregnant girls, ethnic minority children, migrant children, street children and children with HIV often fall outside the scope of support services. Special efforts need to be made to ensure these groups of children are included in programs which address CSEC.

## **RECOMMENDATION SIX - ENGAGE THE PRIVATE SECTOR IN RELEVANT INITIATIVES**

- ▶ CSEC is not only the responsibility of Government, NGOs, UN Agencies, communities and families. The private sector has a vested interest in ensuring the safety of children. Connections should be sought with private sector partners who are sensitive to the objectives of the planned NPA on CSEC and willing to support initiatives through the donation of technical expertise and financial resources. UNICEF is well-placed to liaise with the private sector to build this network of committed private sector representatives.
- ▶ Innovative ways of engaging the private sector should be explored. Key segments of the private sector have legal and ethical responsibilities to protect children (particularly the hospitality, tourism, entertainment and ICT industries). For instance, leading behaviour change advertising companies may consider providing pro-bono support for campaign development, market research companies could be approached to volunteer their expertise to independently evaluate marketing campaigns or other program activities. Many other private sector groups (including finance, transport, agriculture and manufacturing) can include child protection initiatives under their corporate social responsibility commitments. The private sector should be encouraged to provide financial and in-kind support for CSEC prevention and response initiatives. Relationship building is key to this task.
- ▶ It is recommended that representatives from concerned private sector groups form a Business Forum. With assistance from UNICEF, this private sector Business Forum could provide corporate, strategic and financial inputs to support the implementation of the NPA on CSEC. The Business Forum could meet on a periodic basis to determine suitable support options for the NPA on CSEC. The Business Forum should also participate in the National Taskforce meetings.
- ▶ A reward or certification system should be introduced to acknowledge those private sector businesses demonstrating best practice in addressing CSEC.

## **RECOMMENDATION SEVEN – ADDRESS THE RISK OF CSEC VIA DIGITAL TECHNOLOGIES**

- ▶ Recognising that the internet and other forms of digital technology have an undeniable connection to CSEC, specific and targeted actions are required to stop child pornography and the use of digital technology for grooming children for commercial sexual purposes.
- ▶ MIC must strengthen the registration and monitoring of websites within Viet Nam and block sites which contain sexually explicit images of children. Legislative measures should be introduced which require internet service providers, mobile phone companies, internet cafes and other service providers to compulsorily report and remove child sexual abuse images. Given the global situation of internet exploitation, Viet Nam’s participation in international networks such as the Virtual Global Taskforce is necessary.
- ▶ UNICEF has recently initiated a partnership with Yahoo to promote online safety. This initial step is commended but must be expanded into a larger-scale initiative to reach a wider audience of children, parents, teachers, youth organisations and specialists working with children. Education and awareness- raising campaigns must include accessible mechanisms for concerned individuals to report incidents of child pornography and online sexual exploitation. Processes must be improved to identify, support and care for children who are sexually exploited via digital technologies. Public awareness initiatives must also reach individual internet cafe operators in order to promote more robust internet safety measures.

### **3. Legal and Regulatory Systems**

## **RECOMMENDATION EIGHT – STRENGTHEN THE LEGAL FRAMEWORKS RELATING TO CSEC**

- ▶ The Government of Viet Nam has taken significant steps to install legal normative documents and regulatory frameworks which protect children from CSEC. However, some gaps and inconsistencies still exist, and these loopholes serve to perpetuate children’s vulnerability. It is recommended that MOJ consider the following revisions to Viet Nam’s legal frameworks in order to adequately protect children from CSEC and raise Viet Nam to the level set by international standards:
  - Clearly define the crime of child prostitution in accordance with the OPSC to include all acts of offering, procuring, or providing a child for prostitution. Particular revisions include prohibiting the arrest and administrative sanctioning of children aged between 16-18 years old; revising the specification that prostitution involves penetrative sex; and recognising that children under 13 years old are also victims of prostitution (rather than categorising them under the blanket classification of rape).
  - Proceed with efforts to revise the legal age of children to 18 years old.
  - Clearly separate legal provisions relating to imprisonment of offenders and compensation for victims so that the two are mutually exclusive.
  - Criminalise the possession and viewing of child pornography.
  - Criminalise ‘grooming’ (the solicitation of children for sexual processes through planned initiatives to entrap children).
  - Legal normative documents must be revised to specify the recovery and reintegration services which child victims are entitled to receive (recognising the move away from institutionalised care which is currently enshrined in law).

- Introduce a mandatory reporting obligation for professionals who become aware that children are at risk or victims of CSEC. This should apply to child protection professionals (including social workers, counsellors, local authorities, health workers) and industry professionals whose work directly exposes them to potential CSEC risks (including professionals engaged in the information technology, finance, tourism and communications industries).

#### **RECOMMENDATION NINE - BUILD THE CAPACITY OF JUDICIARY AND LAW ENFORCERS**

- ▶ Police and Border Guards have specifically requested more training and capacity building to equip them for dealing appropriately with child victims of CSEC. UN Agencies should continue their training programs for law enforcers. While it was recognised that many training programs have already been initiated for Police, Prosecutors, Border Guards, and other officials, the scale of the CSEC means that many more officials require training in order to satisfactorily manage the volume of CSEC cases.
- ▶ Important steps have been made towards installing child-friendly practices especially through the training of police and the judiciary. These practices should continue to be expanded. Child-friendly practices include the continuous support of a social worker during all legal processes; limiting the number of times a child is interviewed; allowing the child to invite a parent or carer to accompany them during any interviews or legal proceedings; providing alternative arrangements for court proceedings which could include pre-recorded testimonies or video link-ups so that children are not further traumatised or intimidated by face-to-face contact with their offender; and protecting children's rights to privacy by closing the court session to the public and preventing media coverage which identifies the child in any way.
- ▶ The Government is encouraged to continue its efforts to introduce child-friendly training into the Police Academy curriculum and establish child-friendly investigation rooms
- ▶ Monitoring, surveillance and enforcement of the law are critical in preventing and intercepting CSEC crimes. Law enforcers must be aware of the specific laws on CSEC and how to apply their related powers. Enhanced action is encouraged to address all forms of CSEC. Law enforcement action should concentrate on intercepting the demand of Vietnamese and foreign child sex offenders and brokers. Severe penalties must be handed down to those convicted of CSEC crimes to reflect the serious nature of their activities. Media coverage of severe sentences (which protects the privacy of child victims) will assist in deterring other offenders.

#### **RECOMMENDATION TEN – ESTABLISH A FORMAL DATA COLLECTION SYSTEM FOR CSEC**

- ▶ The Law on Statistics, passed by the National Assembly in 2003, establishes the specific responsibilities for the collection and dissemination of statistical information. While there is currently no formal data system for collecting and sharing statistics relating to CSEC in Viet Nam, the establishment of a formal data collection system is an urgent priority, and a sub-project on database development is included in the NPCP. However, as CSEC is not a specific category within the NPCP, it is highly recommended that categories relating to CSEC are included within the database.
- ▶ The establishment of the data collection system will require the engagement of a number of key government ministries including MOJ, MPS, Border Guards, and the Court. The system requires a formal electronic data base in which CSEC information can be disaggregated by age, sex and minority group. Training will need to be provided to all officials responsible for data collection and recording at the central and provincial level to ensure information is systematically collected and reported. Sufficient resources must be allocated to support reliable methods of data collection.
- ▶ Government ministries need to agree on suitable data sharing guidelines. Secrecy surrounding

CSEC data arouses suspicion at the domestic and international level and prevents the establishment of a reliable picture of CSEC which is subsequently detrimental to the establishment of targeted programs. Viet Nam must agree on suitable avenues for sharing data on an annual basis.

- ▶ It is recommended that UN Agencies and NGOs provide supplementary information to support official data collection. A nominated agency should establish a database in which all organisations outside Government can enter quantitative information on a periodic basis in relation to key criteria (eg, number of child victims in shelters; age, gender, ethnicity and family circumstances of victims; location of known offences or emerging hotspots, etc).

## **4. Social Welfare Systems**

### **RECOMMENDATION ELEVEN - BUILD EFFECTIVE SOCIAL WELFARE RESPONSES TO CSEC**

- ▶ Commercial sexual exploitation must be recognised as a specialist discipline which requires dedicated social workers, trauma counsellors, psychologists, medical practitioners and case managers to provide continuous services from risk identification and intervention to victim recovery and reintegration. However, the larger framework of social welfare doesn't automatically address the special protection needs of children who are at risk and child victims of CSEC. As the first wave of future practitioners are undergoing or completing their training and beginning delivery of services it is recommended that attention is given to building a network of specialists who can respond to CSEC-specific issues.
- ▶ An early identification mechanism is required to recognise key warning signals that indicate a child or family is at risk of CSEC. Early identification must be matched with the provision of suitable support and services which protect children and provide viable alternatives to prevent their entry into commercial sex.
- ▶ Children and families require accessible reporting mechanisms to discuss concerns of potential exploitation or report actual cases of CSEC. The role of the Child Helpline should be expanded to include CSEC cases and operate as a counselling service for children at risk and a referral service for child victims of CSEC. In addition, it must be recognised that child victims are not often in a position to make an independent report due to strict control and surveillance by brothel owners and pimps; fear of police and authorities; or lack of access to information about protection services. New avenues for reaching these children must be considered including informal contact with previous sex workers, HIV/AIDS educators, outreach workers and health workers.
- ▶ In the past, children at risk and child victims of CSEC have been subject to fragmented and non-continuous services. As the functional referral system is established under the NPCP, it is recommended that consideration is given to children at risk and child victims of CSEC. Social workers, counsellors, NGOs, teachers and medical professionals, local authorities, police and Border Guards need to work collaboratively to provide a child-centred, case management approach to CSEC cases. Interagency cooperation is also required to promote streamlined support by social workers and law enforcers. Both parties should be in regular communication in relation to specific CSEC cases.
- ▶ Community-based solutions must be made available for children at risk and child victims of CSEC. Initiatives could include community home-visits, drop-in centres, school-based counsellors, peer mentoring programs and better promotion of the Child Helpline.
- ▶ MOLISA has recognised that 60 - 70 per cent rate of victims in State rehabilitation centres

return to prostitution.<sup>158</sup> Future reintegration efforts must seek community-based solutions which reduce discrimination, provide fulfilling employment opportunities and seek to rebuild family relationships. Where it is not possible for children to reunite with their families, new models of care and recovery need to be established such as special accommodation and ‘house parent’ arrangements. Children’s views should be sought when determining the most suitable care options. International models should be investigated and considered in terms of suitable community-based solutions for Vietnamese children. A registration and monitoring system needs to be established for those organisations and individuals who operate non-institutional community care services. Special attention should also be given to addressing the gaps in service delivery for boy victims and pregnant girl victims.

## **RECOMMENDATION TWELVE - STRENGTHEN THE PROTECTIVE CAPACITY OF FAMILIES**

- ▶ Family neglect and dysfunction have been identified as immediate causes of CSEC. MOLISA, VWU, and the newly forming network of social workers have a critical role to play in identifying vulnerable families and strengthening their protective capacity to reduce the risk of CSEC. This includes:
  - Improve access to suitable local income generation sources for parents.
  - Improve support for migrating families to enable children to access school and social services in their new location.
  - Initiate community-based support services for parents including training in positive parenting which teaches mothers and fathers about their roles, responsibilities and obligations as parents and conducting parental support groups where parents can collectively discuss issues relating to their children.
  - Introduce specialist programs for fathers to complement the initiatives VWU already provides for mothers.
  - Recognise that some parents require specialist support from the Government to fulfil their parental obligations. In accordance with Article 18 of the CRC, the Government should, provide appropriate assistance to parents to support their child-rearing responsibilities. This could include the provision of preferential interest rates to low-income workers (farmers and labourers) to assist with work-life balance or the provision of micro-finance loans to families experiencing economic hardship.
  - Significant achievements have been realised through Viet Nam’s efforts to eradicate poverty in the past two decades. These efforts must now be expanded to reach those communities at highest risk of CSEC, particularly in ethnic minority areas and the Mekong Delta region.

## **RECOMMENDATION THIRTEEN - PROVIDE ACCESS TO EDUCATION, EMPLOYMENT AND RECREATION**

- ▶ According to the United Nations Guidelines on the Prevention of Juvenile Delinquency (Riyadh Guidelines), Governments are under an obligation to make public education accessible to all young persons. Opportunities must be provided for children to stay in school. Reducing school fees and educating parents about the importance of school are necessary to prevent drop-outs. It is recommended that MOLISA, MOET and VWU work together to improve educational access for children in high risk CSEC locations. This could include the provision of special programs in ethnic minority communities to address the low-level of school attendance by girls. Scholarship programs provided by NGOs and UN Agencies should continue.

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<sup>158</sup> MOLISA (2008), *op. cit.*, p. 13.

- ▶ Vocational training must be guided by the demands of the labour market in order to provide realistic opportunities for children to enter employment upon completing school. Many girls commented that they don't want to be tailors or hairdressers. Viable and rewarding income generation opportunities need to be initiated which appeal to young people, satisfy the demands of the labour market and prevent children from being lured into sex work. Suitable vocational opportunities are also required for boys.
- ▶ Article 31 of the CRC recognises the right of children to rest and leisure, to recreational activities appropriate to the age of the child, and to participate freely in cultural life and the arts. Many respondents requested and recommended the continued development of recreational opportunities for children in their communes. VYU needs to take a more active role in petitioning for recreational facilities and entertainment activities suited to varying age groups in vulnerable communities. Provincial authorities must also ensure that allocated budgets for these recreational activities are well-utilised.

## **5. Social Behaviour Change Systems**

### **RECOMMENDATION FOURTEEN - IMPROVE PUBLIC AWARENESS OF CSEC**

- ▶ Communities need public awareness initiatives that are relevant, accessible and simple to understand. Behaviour change campaigns should be developed which target specific groups (ethnic minorities, children at risk, parents and tourism staff). The campaign messages should address specific CSEC risks (including safe migration, awareness of deception, safety in tourism, on-line safety and personal safety).
- ▶ Significant investment has been made in propaganda materials relating to CSEC and child protection, but investment has sometimes been wasted. Awareness materials should use behaviour change techniques and undergo market testing. Materials should be produced in the languages of at-risk communities. Campaigns should also consider the use of innovative and appropriate tools to reach target audiences and convey public messages (including television, radio, stickers, leaflets, peer education, performances and signage).
- ▶ There are low reporting rates for CSEC. In the past five years, the Child Helpline has received between 1-4 calls each year for issues relating to commercial exploitation. This can be explained by a lack of awareness, but is also linked to cultural factors and public fears associated with reporting crimes. Children and their families are often reluctant to speak about culturally taboo subjects, particularly relating to sex. All campaigns should seek to raise awareness and mobilise action through the inclusion of hotline reporting numbers or other tools that enable the audience to respond to CSEC risks.
- ▶ It is also necessary to establish formal mandatory reporting requirements for those engaged in key industries (including information, technology, finance and communications) to report evidence of online child pornography. These industries should also be invited to participate in private sector initiatives and awareness-raising to combat CSEC.
- ▶ It is recommended that a reputable advertising company is invited to design targeted behaviour-change campaigns to address CSEC. There is potential to seek expert technical support on a pro-bono basis. Campaigns should be centrally managed to ensure suitability of messaging and to prevent the duplication of resources. MOLISA should take overarching responsibility for campaign management and approval with the support of UNICEF. Children themselves can make valuable contributions to the design and delivery of these campaigns including participation as peer educators.



- ▶ Many children are naive to the risks that face them in today's society. There is a requirement for relevant, contemporary, age-sensitive information to equip children to handle the realities of life in modern Viet Nam. MOET and mass organisations have piloted life skills training. These programs should be continued and expanded to reach at-risk communities. Training can introduce children to their rights while also providing participative opportunities for children to learn about CSEC risks and personal safety. Life skills training should provide an opportunity for young people to access information about issues which they're unable to raise with their parents or other adults. It should also seek to build the capacity of children in decision-making, problem solving, critical thinking, negotiation, economic management and community building.
- ▶ Many child victims of CSEC who are now in rehabilitation advised that they wish to speak with other children to warn them of the risks. Consideration should be given to develop appropriate ways to engage child victims in community advocacy initiatives.
- ▶ Formalised, independent monitoring and evaluation systems must be introduced to assess and measure the effectiveness of CSEC initiatives and the resulting outcomes.
- ▶ The media has a critical role to play in sensitively promulgating information relating to CSEC cases which raises public awareness and also serves as a deterrent to potential offenders. UNIAP recently held a forum to build relations and understanding between media and relevant UN Agencies and NGOs. Future training workshops should be considered to enhance the role of the media in CSEC prevention. Media can also proactively support public awareness campaigns.

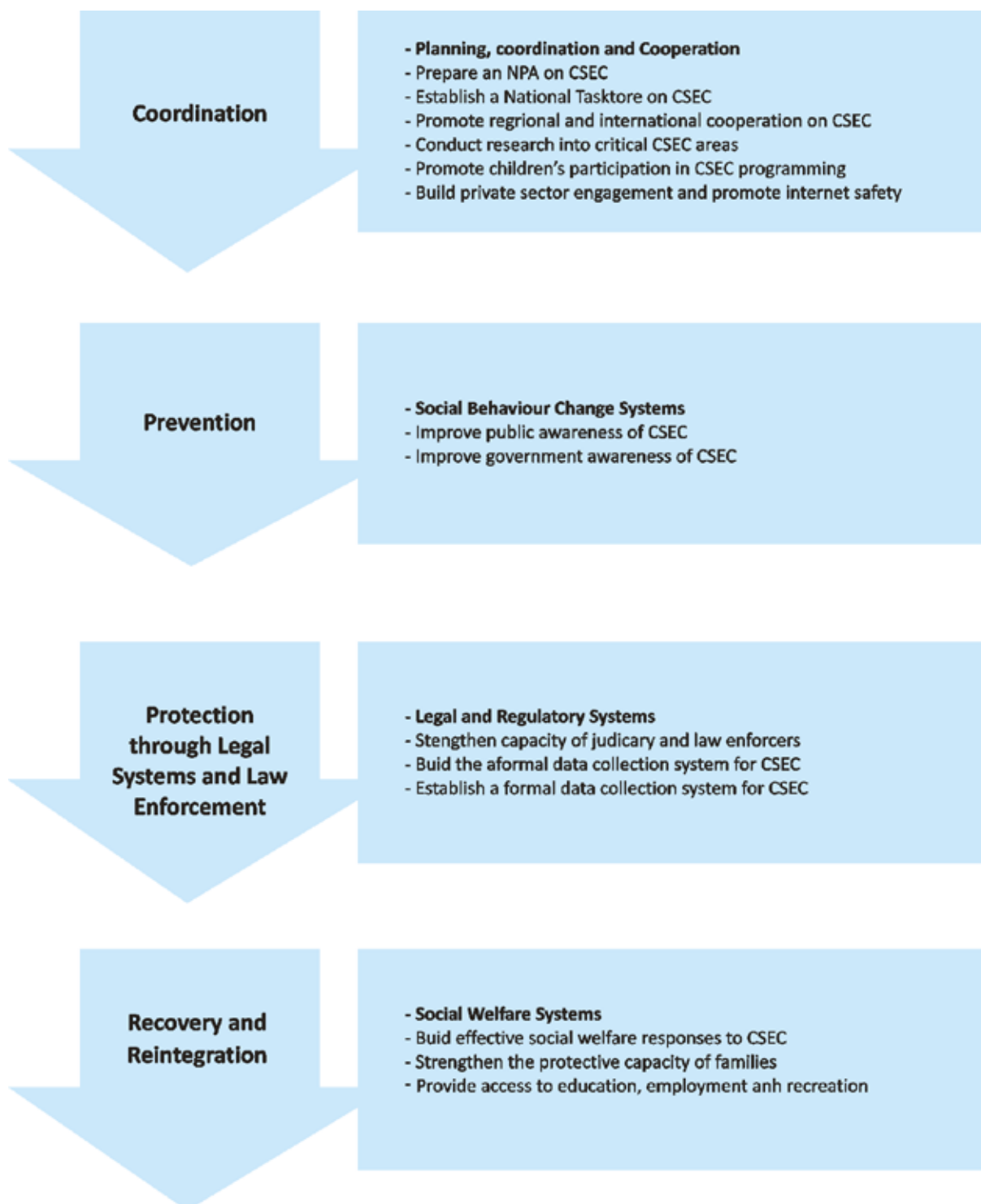
#### **RECOMMENDATION FIFTEEN - IMPROVE GOVERNMENT AWARENESS OF CSEC**

- ▶ While there has been increasing attention and action towards CSEC at the Central level, there is a lower level of awareness of CSEC and associated laws and provisions amongst provincial and local authorities. Lack of awareness inhibits effective participation of provincial authorities and commune leaders in prevention and protection initiatives.
- ▶ Government acknowledgement of CSEC is hindered by many factors including competing priorities, reputational concerns, confusion, lack of exposure to the issues and lack of confidence due to the absence of data. Incentives should be introduced to encourage provincial authorities to accurately report and respond to CSEC in their provinces.
- ▶ It is not possible for authorities to implement regulatory frameworks and respond appropriately to CSEC issues if they do not know the laws or procedures. It is critical that information regarding legislation, the NPA on CSEC and child-friendly procedures is communicated to authorities at the provincial, district and commune levels. It is not sufficient to provide manuals and handbooks and expect authorities to absorb and apply the contents. Behaviour change communication techniques are required at the government level to building understanding and compassion and facilitate cultural change. Training workshops, direct exposure to CSEC issues, specialised information tools and participation in the National Taskforce are encouraged to promote better awareness and responses to CSEC by authorities.
- ▶ Many officials have limited exposure to CSEC. Opportunities should be provided so that officials can observe and understand the nature of the CSEC situation in their communes, districts and provinces.
- ▶ Acknowledgement should be attributed to those communes, districts and provinces which demonstrate best practice in preventing and responding to CSEC. Certification should no longer be awarded to communes without prostitution as this serves as an inhibitor to acknowledging and responding to critical CSEC issues.

- ▶ MOLISA is encouraged to lead the process of improving Government awareness of CSEC in partnership with related Government departments. UNICEF and other agencies can support this process.

These priority recommendations also follow the five key theme areas of the child protection continuum as outlined in the Stockholm Agenda for Action (1996) and reaffirmed in the Rio de Janeiro Declaration (2008). Figure 5 outlines the alignment between the prevention and response systems and the continuum of child protection

**FIGURE 5: Child Protection Continuum for the Prevention and Response System**



## CONCLUSION

Concerted, collaborative and urgent action is necessary to safeguard Viet Nam's children from commercial sexual exploitation. In five years' time, when reviewing the outcomes relating to CSEC, it will not be acceptable to say that desired targets have not been realised. Viet Nam's achievements in addressing children's rights in the past twenty years present a solid platform for the Government to mobilise a more coordinated and strategic approach to address CSEC in collaboration with a network of UN Agencies, NGOs, the private sector, communities, parents and other concerned groups. CSEC requires special protective measures. It is now time to move ahead with practical action to combat these heinous commercial sex crimes against our children and provide necessary support to those children who have already been exploited.

*We would like the Government to stop children being sexually exploited in Viet Nam.*

*We ask you to do your best to protect Viet Nam's children so they can't be exploited.*

*(19 year old girl, victim of sex trafficking, HCMC)*

*I hope you will do your best to help other children who face the same circumstances as us.*

*It is not too late to protect the other children from these problems.*

*(16 year old girl, victim of sex trafficking, An Giang)*

*We ask all adults to pay more attention to children and our difficult situation.*

*(14 year old boy, victim of prostitution, Ha Noi)*

*We have dream that other children will never encounter the same situation.*

*(19 year old girl, victim of internal trafficking, Ba Vi 05Centre)*

*I wish I could have a better life. If I could go to school I would study hard so I can contribute to my society. I wish there were no children with disadvantages in the world. I wish for a healthy and happy world.*

*(14 year old girl – Khanh Hoa)*

## ANNEX 1: RESEARCH METHODOLOGY

Target Group	Methodology	Respondents included:
<p><b>Central Stakeholders</b> <b>(INFORMAL MEETINGS AND INTERVIEWS)</b></p>	<p>Informal meetings and interviews with key stakeholders at the central level</p>	<p>Central Government Agencies including:</p> <ul style="list-style-type: none"> <li>o MOLISA</li> <li>o MPS</li> <li>o Border Guards</li> <li>o Supreme People’s Court</li> <li>o MIC</li> <li>o MOET</li> <li>o VNAT</li> <li>• Mass Organisations</li> <li>• UN Agencies</li> <li>• NGOs</li> <li>• Diplomatic Missions</li> <li>• International Donors</li> <li>• Civil Society</li> </ul>
<p><b>Provincial Authorities</b> <b>(FOCUS GROUP SESSIONS)</b></p>	<p>Focus group sessions with Provincial Authorities in each province (Ha Noi, Khanh Hoa, Lao Cai, An Giang and Ho Chi Minh City), including :</p> <ul style="list-style-type: none"> <li>• Whole group discussion questions</li> <li>• Individual questionnaires</li> </ul>	<p>Local representatives from:</p> <ul style="list-style-type: none"> <li>• DOLISA</li> <li>• Police/DPS</li> <li>• Border Guards</li> <li>• People’s Committee</li> <li>• Institute of People’s Procuracy</li> <li>• Department of Education and Training</li> <li>• Department of Health</li> <li>• Social Evils Prevention Branch</li> <li>• Department of Justice</li> <li>• Women’s Union</li> <li>• Department of Culture, Sports and Tourism</li> <li>• Children’s Protection Branch</li> <li>• People’s Court</li> <li>• Legal Aid Centre</li> <li>• Other related provincial authorities (VWU, VYU, etc)</li> </ul>
<p><b>Child CSEC Victims</b> <b>(SEMI-STRUCTURED, LIFE-STORY INTERVIEWS)</b></p>	<p>One-on-one interviews in the form of semi-structured life story interviews with willing child victims</p> <p><i>All interviews followed the Ethical Considerations for Interviewing Children.</i></p>	<p>Select CSEC victims residing in:</p> <ul style="list-style-type: none"> <li>• 05/06 Centres</li> <li>• Social Protection Centres</li> <li>• Emergency Centres</li> <li>• Rehabilitation and Education Centres</li> <li>• NGO Shelters</li> </ul>

<b>Target Group</b>	<b>Methodology</b>	<b>Respondents included:</b>
<b><u>Rehabilitation Centre Staff</u></b> <b>(FOCUS GROUP SESSIONS)</b>	Focus group sessions with staff working in Government Centres for Education and Social Labour and NGO rehabilitation centres. Sessions included: <ul style="list-style-type: none"> <li>• Whole group activity</li> <li>• Small group activity</li> <li>• Individual Questionnaire</li> </ul>	Rehabilitation Centre staff included: <ul style="list-style-type: none"> <li>• Medical staff</li> <li>• Counsellors</li> <li>• Officials</li> <li>• Legal staff</li> <li>• Social workers</li> <li>• Shelter ‘parents’</li> </ul>
<b><u>Community Members</u></b> <b>(FOCUS GROUP SESSIONS)</b>	Focus group session with committed community members who are willing to share their experiences regarding child protection issues in their community.	Select community members who are willing to share their opinions: <ul style="list-style-type: none"> <li>• Community Leaders</li> <li>• Youth Leaders</li> <li>• Peer Educators</li> </ul>
<b><u>Parents of Victims and Children at Risk</u></b> <b>(SEMI STRUCTURED INTERVIEWS)</b>	Conduct one-on-one meetings with parents of victims and children at risk of CSEC.	Select parents of victims and children at risk of CSEC who are willing to participate in one-on-one meetings.
<b><u>CSEC Informants</u></b> <b>(INFORMAL INTERVIEWS)</b>	Conduct focus group sessions and one-on-one meetings with informants who may witness CSEC activities at the local level.	Conduct informal discussions with local informants including: <ul style="list-style-type: none"> <li>• Xe om and taxi drivers</li> <li>• Bar staff</li> <li>• Hotel staff</li> <li>• Karaoke and Massage staff</li> </ul>
<b>On Site Observation</b>	Conduct on-site observation at locations which are identified as high-risk for CSEC	Includes observational visits to parks, brothel streets, karaoke bars, massage shops, cafes and border points.

## ANNEX 2: SUMMARY OF ORGANISATIONS ADDRESSING CSEC IN VIET NAM<sup>159</sup>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<b>NON GOVERNMENT ORGANISATIONS</b>					
<b>Action Aid Viet Nam (AAV)</b>	Focused on eradicating poverty and injustice, AAV has been involved in promoting the rights of women and children in especially difficult circumstances – including CTSP.	<ul style="list-style-type: none"> <li>Supporting high-risk groups through awareness raising and livelihood opportunities with particular attention to trafficking and child marriage to foreigners.</li> <li>Conducting research on trafficking in women and girls in AAV's development areas.</li> <li>Developing training materials and handbooks on trafficking issues for community groups</li> </ul>	<ul style="list-style-type: none"> <li>Advocating for policies and legislation which support the rights of trafficking victims, including CTSP.</li> </ul>	<ul style="list-style-type: none"> <li>Organising reintegration programs for victims of trafficking in communities by providing legal, administrative and financial support and vocational training.</li> <li>Providing TOT sessions for staff working with victims of trafficking, including CTSP.</li> </ul>	
<b>Alliance Anti-Traffic (AAT) (Formerly known as AFESIP)</b>	AAT Viet Nam works to combat trafficking of women and children for sexual purposes. AAT provides direct services for children (from 14 year of age or older) who have experienced all forms of CSEC. AAT promotes women and children to participate	<ul style="list-style-type: none"> <li>The AAT Outreach Team work directly with vulnerable children, families and communities to prevent CSEC.</li> <li>Conducting a pilot program for sexual and reproductive health education for children in some middle schools in HCMC to raise awareness to prevent to risks of CSEC.</li> </ul>	<ul style="list-style-type: none"> <li>AAT collaborates with governmental officials to promote criminal investigation and victim protection.</li> <li>Facilitating victims' nationality identification processes.</li> </ul>	<ul style="list-style-type: none"> <li>Cooperating with government agencies to coordinate the safe return of victims to Viet Nam.</li> <li>Providing recovery and reintegration centres which include a full range of services (counselling, health care, accommodation, life skills, education, vocational training, legal support, entertainment, and providing job opportunities).</li> </ul>	<ul style="list-style-type: none"> <li>Continuing to support and maintain outreach activities and rehabilitation and reintegration services at the two shelters.</li> <li>Launching a project to support trafficking victims in the community in Bac Giang province.</li> </ul>

<sup>159</sup> Information in this chart was provided by the listed organisations during the research period between Dec 2010 and Jul 2011. The following organisations and diplomatic missions were also contacted but advised that their current initiatives in Viet Nam do not directly address the commercial sexual exploitation of children: Asia Development Bank (ADB), Care Viet Nam, Oxfam Quebec, Viet Nam Association for the Protection of Children's Rights (VAPCR), Japan International Cooperation Agency (JICA), German Embassy, French Embassy and the Irish Embassy.

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	<p>in the decisions regarding their future.</p>	<ul style="list-style-type: none"> <li>• Providing scholarships to support at-risk minors to continue their schooling.</li> <li>• Conducting research into prostitution mobility at the Viet Nam/Cambodia border, including child prostitution.</li> </ul>	<ul style="list-style-type: none"> <li>• Supporting and fostering victims' repatriation within legal frameworks.</li> </ul>	<ul style="list-style-type: none"> <li>• Supporting reintegration processes for victims in communities.</li> <li>• Providing training in psychological care, victim support and reintegration for government officials from key provinces in the country upon request by DSEP/MOLISA.</li> </ul>	<ul style="list-style-type: none"> <li>• Continuing the program for sexual and reproductive health education for children in some middle schools in HCMC.</li> </ul>
<p><b>The Asia Foundation (TAF)</b></p>	<p>Combating human trafficking in Viet Nam has been the core of the Foundation Women's Program. While TAF primarily targets adults, their projects also indirectly address CTSP.</p>	<ul style="list-style-type: none"> <li>• Establishing community monitoring and support groups in the Mekong Delta to prevent trafficking.</li> <li>• Provide skills and legal training for local educators and VWU staff.</li> <li>• Organising community-theatre groups to deliver art-based performances integrating safe migration in prevention of human trafficking messages to the local people</li> <li>• Coordinating a scholarship program in the Mekong Delta to encourage girls to continue their education and reduce the risk of CTSP.</li> </ul>	<ul style="list-style-type: none"> <li>• Conducting cross-border workshops for government officials to promote improved regional collaboration.</li> <li>• Providing legal assistance for trafficking survivors.</li> <li>• Assisting GVN (MOLISA) to develop policy guidance for TIP victims protections (funded by the US Government)</li> </ul>	<ul style="list-style-type: none"> <li>• Pursuing economic empowerment for survivors of trafficking (including support with vocational training, micro-loans and business opportunities).</li> </ul>	

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
		<ul style="list-style-type: none"> <li>• Providing safe migration skill training for students and young people in the rural communities (funded by the US Government and other donors)</li> <li>• Publishing brochures, leaflets and posters to promote safe migration and prevent human trafficking</li> </ul>			
<b>Blue Dragon Children's Foundation</b>	Blue Dragon provides support to children in crisis in Viet Nam. Working primarily with children living on the streets, Blue Dragon encounters children exposed to varying forms of CSEC including CTSP, CST and prostitution.			<ul style="list-style-type: none"> <li>• Providing a safe living environment, education, training and job opportunities for vulnerable children, including those at risk or victims of CSEC.</li> <li>• Providing a drop-in centre service where children can play and learn.</li> <li>• Assisting children to escape traffickers and return to their families ('Safe and Sound' program).</li> </ul>	Blue Dragon will continue providing opportunities to vulnerable young children. These services are well-suited to child victims of CSEC. Future possibilities include: <ul style="list-style-type: none"> <li>• Expanding the outreach model to reach more children at risk or engaged in CSEC.</li> <li>• Expanding the 'Safe and Sound' project to high risk districts of Hue.</li> </ul>
<b>Centre for Research, Family Health and Community (CEFACOM)</b>	CEFACOM focuses on the dual areas of child protection and community development. With a strong research focus, CEFACOM works	<ul style="list-style-type: none"> <li>• Researching links between the internet and child sex.</li> <li>• Conducting anti-trafficking training in six provinces in partnership with WVV.</li> </ul>	<ul style="list-style-type: none"> <li>• Establishing a child sexual abuse reporting system.</li> </ul>	<ul style="list-style-type: none"> <li>• Providing case management support for CSEC victims.</li> <li>• Providing referral and counselling services for child victims located in Viet Nam and other countries.</li> </ul>	



AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<p><b>Centre for Studies and Applied Sciences in Gender, Family, Women and Adolescents (CSAGA)</b></p>	<p>to combat CSEC in addition to providing direct support services to victims. CSAGA works to promote the rights of women and children who are affected by violence and discrimination. In this role, CSAGA receives and refers reports of CSEC and conducts prevention activities in communities.</p>	<ul style="list-style-type: none"> <li>Developing a guidebook for teachers to advise students how to avoid abuse including CSEC.</li> <li>Managing a hotline for the public to report various forms of abuse including CSEC.</li> </ul>	<ul style="list-style-type: none"> <li>Conducting child abuse training for Government staff in 40 provinces which includes content on CSEC.</li> </ul>	<ul style="list-style-type: none"> <li>Providing counselling support for victims of abuse (including CSEC) via the CSAGA hotline.</li> </ul>	<p>CSAGA recommends the initiation of a trafficking awareness campaign in public transport (buses, trains, planes).</p> <p>CSAGA intends to conduct training courses for police, parents and teachers on how to work with child victims of sexual exploitation.</p>
<p><b>ChildFund</b></p>	<p>ChildFund is a child focused organisation building safe environments in which children can develop and be protected from abuse and injuries. ChildFund works in three mountainous provinces to implement comprehensive community area development programs.</p>	<ul style="list-style-type: none"> <li>Establishing a child protection network at the village and commune level.</li> <li>Conducting IEC sessions to raise awareness of child rights and child protection (including identifying and responding to cases of CSA and CSEC).</li> <li>Providing peer educator training for children and key collaborators to educate other community members on CSEC.</li> <li>Developing models to promote child protection activities in the communities.</li> </ul>	<ul style="list-style-type: none"> <li>Providing training to local police and legal officers on international and Vietnamese laws relating to child protection issues.</li> </ul>		<p>ChildFund intends to:</p> <ul style="list-style-type: none"> <li>Continue improving quality of our child protection programs and replicating activities in an expanded network of villages and communes</li> <li>Maintain networking on CP and CRWG for learning and sharing.</li> </ul>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
Hagar Viet Nam	<p>Hagar Viet Nam provides recovery and reintegration support for adult victims of abuse, including sex trafficking. While Hagar doesn't currently work with children in Viet Nam, their recovery and foster care model has provided long-term support for CSEC victims in Cambodia, many of whom are Vietnamese.</p>	<ul style="list-style-type: none"> <li>• Conducting research aimed at early intervention for women and children at risk of sex trafficking.</li> <li>• Providing skills training, employment opportunities and social work support for women and youth at high-risk for trafficking and abuse</li> </ul>		<ul style="list-style-type: none"> <li>• Providing recovery and reintegration support for adult sex trafficking victims which includes life skills training, creative personal development, case management and vocational training and opportunities at Joma Bakery Café and other businesses.</li> </ul>	<p>Hagar's international experience with CSEC victims and local model of providing holistic recovery services for adult trafficking victims could be expanded to reach CSEC victims in Viet Nam in the future.</p>
HealthRight	<p>As HealthRight works with families affected by HIV/AIDS, the organisation has indirect links to sex workers and the issues of child prostitution and CTSP.</p>	<ul style="list-style-type: none"> <li>• Conducting training for communities and foster carers on how to respond to cases of child abuse (including CSEC).</li> </ul>			
Ho Chi Minh City Child Welfare Foundation (HCWF)	<p>HCWF provides protection and care for children in difficult circumstance in HCMC. HCWF conducts two shelters. The Little Rose Shelter for girls was established in the</p>	<ul style="list-style-type: none"> <li>• Conducting outreach and organising peer groups in high risk locations to provide early intervention to children in difficult circumstances including those at risk of CSEC.</li> </ul>	<ul style="list-style-type: none"> <li>• Cooperating with authorities at the grassroots level to establish the child protection network.</li> </ul>	<ul style="list-style-type: none"> <li>• Little Rose and Green Bamboo providing safe shelter and educational opportunities for girls and boys in difficult circumstances, including victims of CTSP. While the centres currently have few CTSP clients, facilities are available on a needs' basis.</li> </ul>	<ul style="list-style-type: none"> <li>• Continuing the care and protection of children in our centres and expanding the prevention program in the community.</li> </ul>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	<p>1990s in response to the situation of CTSP. The Green Bamboo Shelter provides services for street boys in difficult situations.</p>	<ul style="list-style-type: none"> <li>Conducting awareness-raising activities for parents.</li> </ul>		<ul style="list-style-type: none"> <li>Providing services for children including psychological therapy, educational opportunities, vocational training, access to employment and reintegration support.</li> </ul>	<ul style="list-style-type: none"> <li>The Little Rose will expand its program to Districts 7 and 8.</li> <li>The Green Bamboo will expand its program in District 1 and District 4.</li> </ul>
<b>KOTO</b>	<p>KOTO provides direct services to adolescents in especially difficult circumstances, including children living on the streets and children exposed to all forms of CSEC.</p>	<ul style="list-style-type: none"> <li>In providing vocational training for street children KOTO intercepts potential CSEC risks faced by children living on the streets.</li> </ul>		<ul style="list-style-type: none"> <li>Providing vocational training and employment opportunities for children in especially difficult circumstances (which has included victims of CSEC).</li> </ul>	
<b>Pacific Links Foundation (PALS)</b>	<p>PALS conducts counter-trafficking efforts at Viet Nam's borders through the provision of shelter and reintegration service which increase access to education and enable new economic opportunities. PALS provides direct services to victims of trafficking, particularly focusing on CTSP.</p>	<ul style="list-style-type: none"> <li>Providing academic scholarships to assist children at high risk of CTSP to support and encourage their continued attendance at school.</li> <li>Conducting grassroots anti-trafficking outreach groups to raise awareness in local communities.</li> <li>Providing vocational scholarships to assist children at high risk of CTSP.</li> </ul>	<ul style="list-style-type: none"> <li>Supporting returnees' rights to safe return and reintegration by assisting in identification and legal proceedings.</li> </ul>	<ul style="list-style-type: none"> <li>Managing recovery centres at two borders (An Giang and Lao Cai) which provide full support for child victims of CTSP (including accommodation meals, counselling, health care, education, vocational training and reintegration support).</li> </ul>	

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	<p>PALS is responsible for the An Giang, Dong Thap Alliance for the Prevention of Trafficking (ADAPT) project</p>	<ul style="list-style-type: none"> <li>• Provide trainings on victim identification and anti-human trafficking awareness to local government authorities.</li> <li>• Conducting a Social Work Summer Institute at An Giang University for local social workers.</li> </ul>			
<b>Plan in Viet Nam</b>	<p>Plan in Viet Nam works in 15 provinces. Child Protection is a key program area and involves protecting children from violence, abuse, exploitation and neglect which include CSEC.</p>	<ul style="list-style-type: none"> <li>• Raising awareness on child protection.</li> <li>• Support victims of CSA and CSEC and referring to appropriate government authorities.</li> <li>• Supporting the Child Helpline Service in Viet Nam, including the provision of intervention services, counselling and follow-up support.</li> </ul>	<ul style="list-style-type: none"> <li>• Supporting Provincial Police to adopt Child-friendly Investigation Procedures in Nam Dinh and Dong Nai</li> <li>• Providing ‘child-friendly’ training to judicial staff to improve understanding and interaction with CSEC victims.</li> <li>• Arranging for Police Officers to participate in CSEC Investigation training supported by UNICEF in An Giang.</li> </ul>	<ul style="list-style-type: none"> <li>• Providing direct support to victims of sexual abuse including health checks, medical treatment and psychological counselling.</li> <li>• Conducting the Juvenile Crime Prevention and Reintegration project which provides health checks, vocational training and psychological support to CICL in four national reform schools including children previously involved in the sex sector.</li> </ul>	<p>Plan in Viet Nam is exploring key needs in the area of CSEC and awaits the outcome of this research to guide future interventions.</p>
<b>Save the Children Viet Nam (SCiV)</b>	<p>Save the Children Viet Nam works in 34 provinces. Child protection is a key program area and</p>	<ul style="list-style-type: none"> <li>• Promoting safe migration and conducting life skills training for children.</li> </ul>	<ul style="list-style-type: none"> <li>• In support of the national CP Bureau, SCiV collaborates with local authorities to carry out CPS pilot activities in our project areas.</li> </ul>		<p>SCiV intends to support national efforts to collaborate on CSEC initiatives and welcomes the results of this study to guide future project activities.</p>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	<p>involves protecting children from violence, abuse, exploitation, trafficking and neglect which includes CSEC.</p>	<ul style="list-style-type: none"> <li>• Conducting CST and CTSP awareness-raising activities in Ha Noi, HCMC, Quang Ninh, Dong Thap and Ca Mau.</li> <li>• Participating in the interagency CRWG for child trafficking.</li> <li>• Conducting research into CSA.</li> </ul>	<ul style="list-style-type: none"> <li>• At the national level, SCiV works closely with the CP Bureau and other INGOs to contribute actively to child protection laws.</li> </ul>		
<b>Thao Dan Street Children's Program</b>	<p>Thao Dan operates a club and shelter for street children in HCMC. Through their provision of direct services to vulnerable children, Thao Dan engages with street, migrant and working children, including those who are at risk or victims of CSEC.</p>	<ul style="list-style-type: none"> <li>• Conducting outreach activities in areas where children are particularly vulnerable to abuse and sexual exploitation.</li> <li>• Working with the families of migrant children to raise awareness and build skills in how to care for and protect their children and identify the risks of CSEC.</li> </ul>		<ul style="list-style-type: none"> <li>• Operating a centre for children living on the streets and providing accommodation, meals and new opportunities for children in especially difficult circumstances.</li> <li>• Providing a referral service for children who have special care needs, particularly children engaged in prostitution.</li> <li>• Maintaining a child care and protection network in HCMC.</li> </ul>	
<b>World Vision</b>	<p>WVV is a child focused organisation working to create lasting change in the lives of children, families and communities living in poverty. WVV</p>	<ul style="list-style-type: none"> <li>• Providing training relating to the CRC in 13 provinces.</li> <li>• Preparing materials with DSEP to raise awareness of CSEC and identify symptoms.</li> </ul>			<p>WVV welcomes the data and findings from this study in order to continue assessing the most suitable responses to CSEC for the future.</p>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	works in 13 provinces to implement comprehensive community area development programs which support safe environments for children.	<ul style="list-style-type: none"> <li>• Providing training and leaflet distribution in Hue and Vung Tau on CST and CTSP.</li> <li>• Conducting focus groups with children in Hai Phong and HCMC regarding the risk of CSEC.</li> <li>• Supporting WV's regional engagement in the Australian Government-funded Project Childhood which will include training, public education and hotline management to prevent CST (2011-2014).</li> </ul>			<p>WVV will assist in implementing the regional strategies of WV including:</p> <ul style="list-style-type: none"> <li>• The Mekong Human Trafficking Strategy.</li> <li>• Project Childhood activity aimed at combating CST (2011 – 2014).</li> </ul>
<b>UN AGENCIES</b>					
<b>ILO</b>	Recognising CSEC as one of the worst forms of child labour, in Viet Nam the ILO has initiated and contributed to programs which focus on internal and cross-border CTSP.	<p>Advocacy, awareness raising, gender sensitivity, and capacity building are integral parts of the above strategies:</p> <ul style="list-style-type: none"> <li>• Improving the national knowledge base regarding the WFCL.</li> </ul>	<ul style="list-style-type: none"> <li>• Supporting the Government to revise Decision 19.</li> <li>• Supporting the Government to develop the Roadmap on Child Labour (2020).</li> <li>• Providing technical assistance for review, revision and supplementation of Labour Code.</li> </ul>		

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	<p>ILO also supports the national time-bound programme on the elimination of the worst forms of child labour (WFCL).</p>	<ul style="list-style-type: none"> <li>• Creating a favourable environment to eradicate WFCL at the national level through improvement in national policy frameworks and capacity building of institutions.</li> <li>• Developing, implementing and documenting integrated intervention models aimed at reducing WFCL in target provinces.</li> </ul>	<ul style="list-style-type: none"> <li>• Formulating guidance papers for execution of the revised Code.</li> <li>• Contributing to the development of the child protection monitoring and evaluation system, especially focus on child labour/ WFCL related issues/ indicators.</li> </ul>		
<b>IOM</b>	<p>The IOM is committed to humane and orderly migration. In this respect, IOM has conducted activities which address CTSP.</p>	<ul style="list-style-type: none"> <li>• Conducting research on trafficking of boys.</li> <li>• Coordinating closely with Women's Union to develop the communication strategy and conduct communication and BCC activities at localities to raise people's awareness about human trafficking</li> </ul>	<ul style="list-style-type: none"> <li>• Working with the Government to improve legal frameworks relating to CTSP.</li> <li>• Conducting training on victim identification and prosecution.</li> </ul>	<ul style="list-style-type: none"> <li>• Facilitating the return of women and children who are victims of cross-border CTSP.</li> <li>• Establishing a comprehensive reintegration model which includes an assessment centre and victim support.</li> <li>• Providing support for victims of trafficking including financial, medical, psychological and legal assistance</li> <li>• Conducting peer meetings when victims are returned to their communities.</li> </ul>	<p>IOM will continue with a number of projects in the prevention, programme assessment, policy development (National Plan of Action and sub-plans) and reintegration support. The issue of labour trafficking will be addressed.</p> <p>IOM is currently undertaking research on sex work and mobility and will complete research into Boys and Trafficking in 2011.</p>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<b>UNIAP</b>	UNIAP is a coordinating body facilitating collaborative partnerships to combat trafficking in Viet Nam. UNIAP also serves as the Secretariat to the Coordinated Mekong Ministerial Initiative on Human Trafficking (COMMIT) Process, both in Viet Nam and at the regional level. While UNIAP does not directly focus on children, their work with the Government and other stakeholders addresses CTSP and CST.	<ul style="list-style-type: none"> <li>• Conducting training for counter trafficking community and the tourism industry which addresses CST and CTSP.</li> <li>• Producing IEC materials on CST including billboards and leaflets to be placed in popular hotels.</li> <li>• Supporting the tourism sector to raise awareness on CST and CTSP on the tourism official websites.</li> </ul>	<ul style="list-style-type: none"> <li>• Coordinating with partners to support the government's adoption of legislation relating to CTSP.</li> <li>• Promotion of international standards in relation to child rights to encourage improved government action on issues including CTSP and CST.</li> </ul>	<ul style="list-style-type: none"> <li>• Providing capacity building support for the Shelter Improvement Project which enables positive behaviour change for staff working directly with victims of CTSP.</li> </ul>	<ul style="list-style-type: none"> <li>• Continued support on capacity building and awareness-raising for the tourism sector on human trafficking and CST.</li> <li>• Promoting engagement with the private sector to address human trafficking and CST.</li> </ul>
<b>UNICEF</b>	UNICEF Viet Nam focuses on child protection, including the following activities relating to CSEC: <ul style="list-style-type: none"> <li>• Developing a child protection system.</li> </ul>	<p>Conducting and supporting education and communication campaigns including:</p> <ul style="list-style-type: none"> <li>• Community campaigns against child trafficking, CSEC, violence and abuse.</li> </ul>	<ul style="list-style-type: none"> <li>• Establishment of community based child protection networks.</li> <li>• Establishing the child-friendly justice system and conducting child-friendly investigation training for police.</li> </ul>	<ul style="list-style-type: none"> <li>• Initiating and piloting new functions of Social Protection Centres to accommodate child victims of CSEC.</li> <li>• Establishing emergency child care functions for CSEC victims.</li> <li>• Establishing recovery centres in three provinces for women and child victims of CTSP.</li> </ul>	UNICEF Viet Nam initiated this study into CSEC in partnership with MOLISA in order to determine the nature of the problem in Viet Nam and assess appropriate solutions. Future strategies will be determined by the outcomes of this study and in consultation with key partners.



AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	<ul style="list-style-type: none"> <li>• Developing and revising child protection policies and standards to make them child-friendly; and</li> <li>• Improving social welfare and justice systems through technical support to key public institutions and professionals who deal with child protection issues. UNICEF's work specifically addresses CTSP, but also indirectly addresses other areas of CSEC.</li> </ul>	<ul style="list-style-type: none"> <li>• A national CSA campaign which includes CSEC.</li> <li>• Joint Viet Nam-China activities including child forums and campaigns to prevent child trafficking.</li> <li>• Community-based child protection activities in selected provinces.</li> </ul> <p>Conducting research which relates to CSEC, including:</p> <ul style="list-style-type: none"> <li>• Research into CSEC-related issues including this national study into CSEC in partnership with MOLISA.</li> <li>• A national survey on the situation of trafficking in women and children in 25 high risk provinces.</li> <li>• Audience research on community understanding and awareness of human trafficking in the North</li> </ul>	<ul style="list-style-type: none"> <li>• Providing technical assistance for the revised legal framework on child protection.</li> <li>• Contributing to the development of a systematic CPS.</li> <li>• Building the capacity of Government and staff who deal with trafficking, CSEC and violence.</li> <li>• Supporting the Government with the development of the following laws, policies and projects: <ul style="list-style-type: none"> <li>• The Decision on Reception and Reintegration Support for Victims of Human Trafficking.</li> <li>• The Inter-agencies Circular on the Establishment and Operation of Reception Centres for Victims.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Developing the National Plan on Development of Social Work in Viet Nam.</li> <li>• Building the capacity of government, social workers, NGOs, FBOs.</li> <li>• Conducting research on reception, recovery and reintegration services for victims of human trafficking.</li> <li>• Supporting recovery and counselling centres for children and young women victims of human trafficking, sexual exploitation, and domestic violence in selected provinces.</li> </ul>	<p>UNICEF will continue to support the Government of Viet Nam in prevention of human trafficking including the trafficking of children for sexual purposes.</p>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
		<p>and South of VN. Results of the research were used to develop VWU's communication plans between VN-China and VN-Cambodia.</p>	<ul style="list-style-type: none"> <li>• The national project on 'Reception and Reintegration support for victims of human trafficking' and 'Advocacy and Communication Activities'.</li> <li>• A Bilateral Agreement between VN and China to combat human trafficking (in partnership with UNICEF China).</li> <li>• The Anti-Human Trafficking Law (in collaboration with other agencies).</li> <li>• Development of the National Plan of Action 2011-2015 and related sub-national projects to implement the NPA. (in collaboration with other agencies).</li> </ul>		
<b>UNODC</b>	<p>UNODC works with the Government to strengthen their legal and technical capacities to prevent</p>		<ul style="list-style-type: none"> <li>• Implementing criminal justice and law enforcement initiatives to address CST within the framework of the Australian</li> </ul>		<p>Between 2011 – 2014, UNODC will deliver criminal justice and law enforcement activities to address CST within Project Childhood.</p>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	and stop the trafficking of people, including CTSP.		<b>Government-funded activity entitled Project Childhood.</b>		
<b>DIPLOMATIC MISSIONS</b>					
<b>Australian Embassy</b>	Through the assistance of AusAID, the Australian Federal Police, and the Department of Immigration, the Australian Government supports prevention and protection programs in the CSEC areas of CTSP and CST in Viet Nam.	<ul style="list-style-type: none"> <li>• Conducting public awareness campaign activities in high risk locations for CST.</li> <li>• Conducting training to support the tourism industry in preventing CST.</li> <li>• Conducting specialised training for ethnic minority communities in Sapa and Mai Chau regarding CST.</li> <li>• Supporting MTV Exit's concert series to prevent trafficking, including CTSP</li> </ul>	<ul style="list-style-type: none"> <li>• Conducting professional development programs for police officers and border guards to build capacity in domestic and cross border criminal issues including CST and CTSP and high tech sex offences.</li> <li>• Working with the Tourism Ministry on an ASEAN plan to combat CST.</li> <li>• Promoting improved cooperation on trans-boundary crimes including CTSP.</li> <li>• Supporting the ARTIP initiative to address human trafficking in Viet Nam.</li> </ul>		AusAID is the managing agency for Project Childhood which will implement prevention and protection activities to address CST in four Mekong countries (including Viet Nam) between 2011 – 2014.  Professional development programs for police and border guards are continuing.

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
British Embassy	<p>The Child Exploitation and Online Protection (CEOP) Centre is part of UK Policing. CEOP has been active in Viet Nam since 2009 in addressing the areas of CTSP, CST and online related abuse of children.</p> <p>The Foreign and Commonwealth Office (FCO) addresses the wider issue of regional child trafficking, which don't have direct impact on the UK.</p>	<ul style="list-style-type: none"> <li>Supporting MPS to prepare a documentary outlining the dangers of trafficking.</li> <li>Funding a CEOP report into regional child trafficking (through FCO).</li> <li>Negotiating an Immigration information exchange MOU with MPS to combat human trafficking, including child trafficking.</li> <li>Conducting an awareness raising course in HCMC in Mar 2011 for 120 child educators.</li> </ul>	<ul style="list-style-type: none"> <li>Establishing an international advisory panel that includes Vietnamese Police, MOLISA, international organisations, NGOs, the British Embassy and specialist organisations working collectively to protect children across Viet Nam.</li> <li>Collaborating with local law enforcers on trafficking cases involving Vietnamese child victims (through the Serious Organised Crime Agency (SOCA) and UK Border Agency (UKBA)).</li> </ul>		<p>A further 120 child educators will attend an awareness raising course in Ha Noi, March 2012.</p> <p>CEOP plans to provide specialist on-line investigations training to Vietnamese law enforcers.</p>
Embassy of Sweden	<p>In recent years, Sweden's long-term development cooperation program in Viet Nam has focused on strengthening of rule of law and the human rights of most vulnerable people. Through this work, the</p>	<ul style="list-style-type: none"> <li>Conducting research on child rights issues.</li> <li>Funding mobile clinics specialised in promoting children's rights.</li> </ul>	<ul style="list-style-type: none"> <li>Supporting UNICEF's work to develop the child-friendly justice system.</li> </ul>		

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
	<p>Embassy of Sweden has provided indirect support primarily focused on CTSP.</p>				
<b>US Embassy</b>	<p>USAID works in partnership with the government of Viet Nam to support vulnerable populations. In terms of CSEC, USAID provides support for anti-human trafficking initiatives across the country including CTSP.</p>	<p>Supporting partner organisations (including IOM, MTV EXIT, The Asia Foundation, UNIAP, Pacific Links, CSAGA, Blue Dragon Children's Foundation and SHARE) to conduct prevention activities, including:</p> <ul style="list-style-type: none"> <li>• IOM's public awareness campaign on CTSP.</li> <li>• Pacific Links' scholarship program to prevent CTSP.</li> <li>• MTV Exit's concert series to prevent trafficking including CTSP.</li> <li>• The Asia Foundation's Safe Migration project including education and information activities.</li> </ul>	<p>Supporting the IOM's work to:</p> <ul style="list-style-type: none"> <li>• enhance policy and legislation relating to trafficking;</li> <li>• provide legal assistance and training for legal aid units and police; and</li> <li>• build the capacity of prosecutors working on trafficking cases.</li> </ul> <p>Supporting UNIAP's work to:</p> <ul style="list-style-type: none"> <li>• monitor cross-border trafficking in Cambodia, Laos, Thailand and Viet Nam; and</li> <li>• Providing micro-training for investigative teams and supporting the development of surveillance systems and data collection relating to trafficking.</li> </ul>	<ul style="list-style-type: none"> <li>• Supporting AAT to provide recovery and reintegration services for women and girl victims of CTSP.</li> <li>• Supporting UNIAP to improve shelter services through the shelters' network and improve services for groups vulnerable to trafficking for sexual purposes.</li> </ul>	<p>USAID will continue to work on the current program to support:</p> <ul style="list-style-type: none"> <li>• Law enforcement.</li> <li>• Local capacity building.</li> <li>• Direct services for child victims and children at risk.</li> </ul> <p>USAID recently conducted a Strategic Assessment of Trafficking in Persons in Viet Nam. The results of this study present several recommendations which are currently being prioritised.</p>

OTHER INITIATIVES					
AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<b>Asia Regional Trafficking in Persons Project (ARTIP)</b>	ARTIP is an Australian Government initiative to combat trafficking in persons in the Asian region. In Viet Nam, ARTIP works directly with Government on criminal justice and law enforcement matters relating to trafficking. While ARTIP doesn't work directly on children's issues, the project promotes anti-trafficking measures which have direct implications for children..		<ul style="list-style-type: none"> <li>Conducting training to build the capacity of law enforcers to respond to human trafficking, including training for frontline police officers, specialist police, judges and prosecutors. The training includes a focus on the relationship between trafficking and internet technologies and emphasises special protection requirements for children during investigation, prosecution and trial.</li> <li>Collecting trafficking-related data for internal Government use</li> </ul>		
<b>MTV EXIT</b>	In 2010, MTV EXIT launched the MTV Exit Concert series in Viet Nam to draw public attention to the issue of trafficking including CTSP. The Australian Government and US Government supported the MTV EXIT initiative in Viet Nam.	<ul style="list-style-type: none"> <li>Conducting a series of public concerts in Viet Nam with the involvement of high profile Vietnamese and international performers to build public awareness of trafficking including CTSP.</li> <li>Producing documentaries to raise awareness of trafficking.</li> </ul>			MTV EXIT is continuing its fight against trafficking in Asia and future concerts may be held in Viet Nam.

GOVERNMENT OF VIET NAM					
AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<b>MOLISA</b>	MOLISA is responsible for chairing and coordinating with relevant Ministries and sectors to revise and implement policies to prevent and combat prostitution	<ul style="list-style-type: none"> <li>• Coordinating the work plan on poverty reduction, job creation, drug and HIV prevention and other initiatives which support efforts to prevent CSEC.</li> <li>• Facilitating education programs to improve the awareness of communities regarding CSEC.</li> <li>• Managing the Child Helpline providing information, prevention, follow-up mentoring support for children</li> </ul>	<ul style="list-style-type: none"> <li>• Formulating and presenting legal normative documents on combating prostitution, to competent agencies for issuance.</li> <li>• Creating legal frameworks to prevent and limit the number of CSEC victims.</li> <li>• Activating international cooperation to promote new approaches in the settlement of issues relating to child prostitution and CTSP.</li> <li>• Chairing and coordinating the statistical processes to survey victims, assess the implementation of victim reception and regularly report to Government (in partnership with MPS and Border Guards).</li> </ul>	<ul style="list-style-type: none"> <li>• Chairing and coordinating with relevant agencies to implement measures on reintegration support for child victims of CSEC.</li> <li>• Coordinating with MPS and Border Guards to provide initial support for child sex trafficking victims at reception centres.</li> <li>• Providing support services to child victims of CSEC including medical assistance, shelter, psychological counselling, education support, vocational training, job creation, mentoring, transfer from relevant centres, travel costs for reintegration to the community, poverty-reducing loans, living materials, birth registration, life skills training.</li> <li>• Conducting international cooperation in relation to victim support.</li> </ul>	In May 2011, the Prime Minister approved the NPCP 2011-2015. In accordance with the NPCP, MOLISA will follow six main duties, focused on protecting children, preventing CSEC and supporting victims.

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<b>MPS</b>	MPS is the focal point responsible for coordination and monitoring of trafficking control activities. MPS is also responsible for law enforcement and Crime Control which includes control of crimes relating to the sexual exploitation of children.	<ul style="list-style-type: none"> <li>• Conducting education and propaganda activities to raise public awareness of CSEC. This includes mass media, TV, conferences, workshops, broadcast on radio, newspapers and books. Members of the public are encouraged to report CSEC cases to the police.</li> <li>• Investigating reports of suspicious activities in order to intervene before children are harmed.</li> <li>• Delivering strict sentences to CSEC criminals which deters those involved in procuring, pimping and selling CSEC.</li> </ul>	<ul style="list-style-type: none"> <li>• Formulating and issuing circulars, decisions, work plans, instructions and guidance on implementing, inspecting and monitoring child protection, CSEC prevention and victim rehabilitation activities.</li> <li>• Advising the Government on strategy and policy development.</li> <li>• Coordinating with related agencies at the central and provincial level.</li> <li>• Acting as the focal point for international cooperation (trafficking control).</li> <li>• Conducting surveillance, monitoring, investigation and arrests for CSEC crimes.</li> </ul>	<ul style="list-style-type: none"> <li>• Receiving and supporting child victims of CSEC and referring them to safe and appropriate arrangements or services.</li> </ul>	<p>MPS will continue their law enforcement role with a focus on child-friendly practices. Key intended activities include:</p> <ul style="list-style-type: none"> <li>• Strengthen the preventive measures to combat against prostitution.</li> <li>• Enhance the understanding and implementation of Inter-agency Co-operation Programme on Combating Prostitution.</li> </ul>



AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
		<ul style="list-style-type: none"> <li>• Responding to referrals from the Child Helpline.</li> </ul>	<ul style="list-style-type: none"> <li>• Participating in training which improves the capacity of criminal police officers to respond to CSEC crimes.</li> <li>• Participating in regional conferences/workshops to improve international cooperation on CSEC.</li> <li>• Coordinating with other agencies to adjust the laws relating to CSEC and also develop bilateral agreements with other countries especially relating to trafficking.</li> </ul>		<ul style="list-style-type: none"> <li>• Consult/advise the Party and Authority at all levels in preventing prostitution;</li> <li>• Promote the collective strength of all agencies and mass, social organisations in reporting CSEC crimes.</li> <li>• Enhance education activities to promote better understanding, reporting by the public and other actions to fight against CSEC in coming years.</li> </ul>
<b>Border Guards</b>	Border Guards work closely with other competent agencies and local authorities to implement comprehensive measures to prevent prostitution and human trafficking at border areas.	<ul style="list-style-type: none"> <li>• Conducting education and communication activities, especially for communities near border areas to advise them of the risks of sex trafficking.</li> </ul>	<ul style="list-style-type: none"> <li>• Collaborating with MPS and MOLISA to conduct investigations and surveillance on prostitution along the border.</li> <li>• Boosting the cooperation with the relevant agencies of bordering countries (China, Laos and Cambodia) to exchange</li> </ul>	<ul style="list-style-type: none"> <li>• Identifying, classifying and supporting child victims of sex trafficking when they are returned by neighbouring countries to the border control posts or when they return themselves.</li> </ul>	<p>In future, Border Guards intend to continue strengthening their capacity and resources to address CTSP, patrol border and coastal areas, enhance propaganda to create more awareness, ensure good integration for child victims, conduct assessment in high risk areas and enhance collaboration with other agencies.</p>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<p><b>Viet Nam National Administration of Tourism (VNAT)</b></p>	<p>VNAT delivers activities to build child safe tourism destinations in Viet Nam. Since 1999, VNAT has been a partner in an ASEAN-wide initiative to prevent child sex tourism.</p>	<ul style="list-style-type: none"> <li>• Conduct CST prevention training for frontline tourism staff in popular tourism destinations.</li> <li>• Conduct CST prevention training for ethnic minority communities in emerging tourism locations.</li> <li>• Conduct a national campaign to prevent child sex tourism including the distribution of leaflets, stickers, posters and billboards in targeted locations.</li> </ul>	<p>information and experience and to collaborate in combating trafficking in women and children and eliminating prostitution spots along the borders.</p> <ul style="list-style-type: none"> <li>• Conducting and participating in training to build the capacity of Border Guards staff in addressing trafficking, particularly in relation to investigation and surveillance.</li> </ul> <ul style="list-style-type: none"> <li>• Preparing legal documents on tourism training management.</li> </ul>		<p>VNAT is committed to building child safe tourism in Viet Nam. VNAT will continue to implement initiatives to prevent CSEC in tourism destinations. VNAT partner with the Project Childhood initiative (2011-2014) to continue protecting children from CST. VNAT intends to expand its current programs to include training for staff and students in tourism schools on CST</p>

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
		<ul style="list-style-type: none"> <li>Coordinating a formal market-tested evaluation of campaign materials.</li> <li>Promoting the national Child Helpline for the tourism industry to report suspicious activities.</li> </ul>			prevention and the escalation of campaign distribution to generate enhanced awareness of CST.
<b>Ministry of Education and Training</b>	MOET coordinates with the line ministries to conduct activities in schools which protect children from CSEC.	<ul style="list-style-type: none"> <li>Providing information to parents and children. Organising meetings with school teachers and parents in each semester to present basic information about student-related issues including health and protection.</li> <li>Conducting small scale training for teachers and students on HIV/AIDS and Prostitution Prevention in partnership with UNICEF and other organisations in key provinces.</li> <li>Monitoring of students via teachers and the parents' association to protect them for all forms of harm.</li> </ul>	<ul style="list-style-type: none"> <li>Participating in the Government's interagency steering committee on prostitution and HIV/AIDS prevention.</li> </ul>		

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<b>Ministry of Justice (Administrative and Criminal)</b>	<p>The MOJ Administrative and Criminal Department is responsible for drafting, providing comments and making assessments on laws, including those relating to CSEC.</p>		<ul style="list-style-type: none"> <li>• Drafting and providing comments and conducting assessments on Administrative and Criminal law including laws relating to CSEC.</li> <li>• Conducting assessments of legal documents and laws relating to other ministries.</li> <li>• Providing comments on Ordinance of Prostitution Control.</li> <li>• Drafting the Penal Code and revising articles to supplement the code.</li> </ul>		
<b>The Supreme People's Court</b>		<ul style="list-style-type: none"> <li>• Supporting the prevention of CSEC through the mobile court which provides information to local people about the unacceptability of CSEC crimes.</li> </ul>	<ul style="list-style-type: none"> <li>• Handling child prostitution and child sex trafficking cases and ensuring the consistent application of the law relating to CSEC crimes.</li> <li>• Assigning judges and officers to work closely with the Procuracy Institute and MPS</li> </ul>		

AGENCY/ ORGANISATION	OVERVIEW	PREVENTION	PROTECTION (LEGAL AND POLICY BASED INITIATIVES)	RECOVERY	FUTURE INTENTIONS
<b>Ministry of Information and Communication (MIC)</b>	The Internet Security Department of MIC cooperates to prevent broadcasting of illegal information. MIC has some mechanisms to protect children.	<ul style="list-style-type: none"> <li>Monitoring and removal of websites posting inappropriate materials.</li> </ul>	<p>at the beginning of investigations for the smooth management of trials.</p> <ul style="list-style-type: none"> <li>Applying child-friendly procedures during the judicial process to support CSEC victims.</li> </ul>		
<b>Viet Nam Women's Union (VWU)</b>	VWU works in communities educating mothers how to protect and care for their children.	<ul style="list-style-type: none"> <li>Educating mothers how to care for their children.</li> <li>Conducting public awareness activities and training courses about the risks of sex trafficking and sexual exploitation.</li> <li>Providing financial resources to families in special circumstances to alleviate the risk of children entering CSEC.</li> <li>Establishing various community clubs which promote improved parenting and child care.</li> </ul>	<ul style="list-style-type: none"> <li>Collaborating with other agencies to implement the directives of Government to protect children.</li> </ul>	<ul style="list-style-type: none"> <li>Providing support for families and encouraging community acceptance when victims return to their communities.</li> </ul>	

### ANNEX 3: ORGANISATIONS CONDUCTING ISSUE-SPECIFIC CSEC PROJECTS

ORGANISATION	General activities indirectly addressing CSEC	ISSUE-SPECIFIC CSEC PROJECTS			
		Child Sex Trafficking	Child Prostitution	Child Sex Tourism	Child Pornography
<b>NON GOVERNMENT ORGANISATIONS</b>					
Action Aid Viet Nam (AAV)	√				
Alliance Anti-Traffic (AAT)	√	√	√		
The Asia Foundation (TAF)	√				
Blue Dragon Children's Foundation	√	√			
CEFACOM	√			√	
CSAGA	√				
Child Fund	√				
Hagar Viet Nam	√				
HealthRight	√				
HCWF	√	√			
KOTO	√				
Pacific Links	√	√			
Plan Viet Nam	√				
Save the Children Viet Nam	√				
Thao Dan Social Protection Organisation	√	√			
World Vision	√			√	
<b>UN AGENCIES</b>					
ILO	√			√	
IOM	√	√			
UNIAP	√	√		√	
UNICEF	√	√			
UNODC	√			√	
<b>DIPLOMATIC MISSIONS</b>					
Australian Embassy	√			√	
British Embassy	√	√			
Embassy of Sweden	√				
US Embassy	√	√			
<b>OTHER INITIATIVES</b>					
ARTIP	√				
MTV EXIT	√	√			

## ANNEX 4: RATIFICATION STATUS FOR INTERNATIONAL CSEC LAWS/ CONVENTIONS

<b>International Laws and Conventions</b>	<b>Status</b>	<b>Date</b>
International Covenant on Civil and Political Rights (ICCPR)	Acceded	24 Sep 1982
Convention on the Rights of the Child (CRC)	Ratified <sup>1</sup>	28 Feb 1990
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Ratified	17 Feb 1982
Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography	Ratified	20 Dec 2001
Convention Against Transnational Organised Crime(CTOC)	Signed	13 Dec 2000
ILO Convention No 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	Ratified	19 Dec 2000
ILO Convention No 138 concerning the Minimum Age for Admission to Employment	Ratified	24 Jun 2003
ILO Convention No 29 concerning Forced or Compulsory Labour	Ratified	5 Mar 2007
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the CTOC (The Palermo Protocol)	Ratified	28 Dec 2011
ILO Convention No 105 concerning the Abolition of Forced Labour	Not yet	

## ANNEX 5: KEY LEGAL PROVISIONS ADDRESSING CSEC <sup>160</sup>

The Penal Code (1999)	Child Prostitution	Child Sex Trafficking	Child Pornography	Child Sexual Abuse and Sexual Assault
	<p><b>Article 254</b> prohibits the harbouring of prostitutes (with a penalty of 5 to 15 years imprisonment if the child is aged 16 years and under 18 years, or 12 to 20 years imprisonment if the child is aged 13 years and under 16 years).</p> <p><b>Article 255</b> prohibits the enticing or procuring of prostitutes (with a penalty of 3 to 10 years imprisonment if the child is aged 16 years and under 18 years, or 7 to 15 years imprisonment if the child is aged 13 years and under 16 years).</p> <p><b>Article 256</b> prohibits paid sexual intercourse with children aged 16 years and under 18 years (with a penalty of 1 to 5 years imprisonment, or 3 to 8 years imprisonment if the child is aged 13 years and under 16 years, or 7 to 15 years imprisonment if the offence is committed more than once against children aged 13 years and under 16 year</p>	<p><b>Article 120</b> makes it an offence to trade in, fraudulently exchange or appropriate children (with a penalty of 3 to 10 years imprisonment).</p> <p><b>Article 120 (2)</b> prohibits child trafficking for the purpose of prostitution (with a penalty of 10 to 20 years or life imprisonment).</p>	<p><b>Article 253</b> makes it an offence to disseminate “debauched cultural products” (with a penalty of a fine of 5 million to 50 million dong, non-custodial reform for up to 3 years, or 6 months to 3 years imprisonment, or 3 to 10 years imprisonment where the crime is ‘against juveniles’).</p>	<p><b>Article 112 (1)</b> prohibit the rape of children aged between 13 years and under 16 years (with a penalty of 7 to 15 years imprisonment).</p> <p><b>Article 112 (4)</b> prohibits sexual intercourse with children under 13 years, all instances of which are considered rape (with a penalty of 12 to 20 years imprisonment, life imprisonment or capital punishment).</p> <p><b>Article 113(4)</b> prohibits forcible sexual intercourses with children aged over 16 years and under 18 years (with a penalty of 2 to 7 years imprisonment).</p> <p><b>Article 114 (1)</b> prohibits forcible sexual intercourse with children aged between 13 years and under 16 years (with a penalty of 5 to 10 years imprisonment).</p>

<sup>160</sup> With the exception of the newly introduced Law on Prevention, Suppression Against Human Trafficking (2011), this information is summarised from Kaviani Johnson, A. (June, 2009), *Mind the Gaps: A Comparative Analysis of ASEAN Legal Responses to Child-Sex Tourism, Melbourne, Australia*. The assistance of the Ministry of Justice in verifying the accuracy of these laws is appreciated.



	Child Prostitution	Child Sex Trafficking	Child Pornography	Child Sexual Abuse and Sexual Assault
<p><b>The Law on Child Protection, Care and Education (2004)</b></p>	<p><b>Articles 5 and 6</b> provide that offences under the Penal Code have extraterritorial application if the offender is a Vietnamese national or if the crimes are covered by a treaty to which Viet Nam has acceded or signed.</p> <p><b>Article 17</b> criminalises preparation for the commission of a very serious crime or a particularly serious crime.</p>			<p><b>Article 115 (1)</b> prohibits sexual intercourse with children aged between 13 and under 16 years by an adult (with a penalty of 1 to 5 years imprisonment).</p> <p><b>Article 116 (1)</b> prohibits obscene acts committed against children by adults (with a penalty of 6 months to 3 years imprisonment).</p>
	<p><b>Article 1</b> defines 'Children' as Vietnamese citizens under 16 years of age.</p> <p><b>Articles 7(4) and 7(7)</b> prohibit seducing, deceiving, leading, harbouring or forcing children into prostitution and exploiting and using working children for heavy, dangerous or hazardous work.</p>		<p><b>Article 7(5)</b> prohibits using, luring and forcing children to buy and sell pornographic products and producing, copying, circulating, transporting and stockpiling child pornography.</p>	<p><b>Articles 7(4) and 7(6)</b> prohibit sexually abusing children, and torturing, maltreating, affronting, appropriating, kidnapping, trafficking in or fraudulently exchanging children for personal benefits.</p> <p><b>Article 56</b> states that agencies, organisations and individuals are responsible for taking measures to prevent, stop and denounce acts of sexually abusing children.</p>

The Ordinance on Prevention of Prostitution (2003)	Child Prostitution	Child Sex Trafficking	Child Pornography	Child Sexual Abuse and Sexual Assault
	<p><b>Article 4</b> prohibits the selling and buying sex, harbouring sexual activities, organisation of prostitution, forced selling sex, prostitution intermediary, protection of prostitution activities, prostitution disguised by other businesses, and other prostitution related issues.</p> <p><b>Article 15</b> provides that hotels, motels, restaurants, dance clubs, karaoke bars, massage parlours, saunas and other business service places, which can easily be misused for prostitution,</p>	<p><b>The Ordinance on Prevention of Prostitution 2003</b> criminalises sex trafficking of children (with a penalty of 3 years to life imprisonment).</p>	<p><b>Article 16</b> prohibits agencies, organisations and individuals from producing, circulating, transporting, storing, buying, selling, exporting, importing or publishing pictures, materials, products or information which may be rated as pornographic</p>	
	<p>must have the signed written labour contracts with labourers and be registered with the local labour management authority. The employment of labourers under 18 years of age for jobs which can negatively affect their physical and intellectual development and dignity is prohibited.</p> <p><b>Article 22</b> states that people using juvenile sex-workers shall be charged with criminal responsibility.</p>			

	Child Prostitution	Child Sex Trafficking	Child Pornography	Child Sexual Abuse and Sexual Assault
	Article 24 states that prostitution facilitators, organisers, people forcing others to sell sex will be charged with criminal responsibility.			
<b>The Labour Code (2003)</b>	<b>Articles 112, 119 and 120</b> prohibit employment of workers under 18 years of age in hard, dangerous work and work exposed to harmful substances, abuse of workers under 18 years of age, and recruitment of children below 15 years of age, except in certain categories of occupation that promote a child's talent as determined by the MOLISA.			
<b>The Law on Prevention, Suppression Against Human Trafficking (2011)</b>		<b>Article 3 (1)</b> prohibits trafficking in persons as stipulated in Article 120 of the Penal Code. <b>Article 3 (2)</b> prohibits the transfer or receipt of persons for sexual exploitation.		

Viet Nam does not have laws specifically addressing child sex tourism. The Penal Code applies equally to all foreigners who commit such offences in the territory of Viet Nam, except for those with diplomatic immunity.<sup>161</sup> Varying applications of the above legislation have been used to prosecute foreigners convicted of child sex crimes in Viet Nam and those who assist or facilitate these crimes.

<sup>161</sup> MOLISA and UNICEF (2009), *op. cit.*, (p. 52)

## ANNEX 6: OTHER STATE PROVISIONS RELATING TO CSEC

Laws, Decrees, National Plans, Policies and Other Measures relating to CSEC	Provisions/Goals/Objectives
Articles 604, 608-612 The Civil Code (2005)	Provides that people who damage the life, health, reputation, human dignity, prestige, property, rights and other legal interests compensate the victim for loss
Article 42 The Penal Code (1999)	Provides that convicted persons are required to compensate for material or mental damages caused by their crimes.
Articles 7,18 & 135 Criminal Procedure Code (2003)	<p>Provides support for children involved in criminal proceedings including:</p> <ul style="list-style-type: none"> <li>• Protection, if their life, health, honour or dignity is in danger.</li> <li>• Closed hearings, when the victim is under 16 years old or if the matter involves sensitive crimes.</li> </ul> <p>Inviting parents/representatives to attend proceedings if the child is under 16.</p>
The Marriage and Family Law (2000)	Article 9 provides that the decision to marriage is voluntary and specifies the age conditions of 20 years old for men and 18 years old for women. Articles 34-37 outline the obligations of parents to protect the legitimate rights and interests of their children and provide for their care, support and education.
The Law on Prevention, Suppression Against Human Trafficking (2011)	Chapter Four makes provisions for the protection of human trafficking victims, including child victims. Chapter Five makes provisions for assistance to human trafficking victims, including child victims.
Article 52 (1) The Law on Child Protection, Care and Education (2004)	Provides that sexually abuse children are to be assisted by their families, the State and society through consultancy measures, physical and mental restoration, and given conditions to stabilise their life.
Ordinance on Handling of Administrative Violations (2 July 2002)	Prescribes the mechanisms for handling administrative violations including reform, recovery, medical and reintegration requirements for child victims of commercial sexual exploitation.
Decree No. 87/CP (12 Dec 1995)	Provides severe punishments for all acts of sex abuse against children, procurement and deception to lure children into the path of prostitution.
Decree 68/2002/ND-CP (10 July 2002)	Governs under-age and foreign marriage and inter-country adoptions to prevent their use for the purpose of child sexual abuse, child trafficking or other purposes.
Decree No. 135/2004/ND-CP (10 June 2004)	Governs the minimum conditions for juvenile sex workers in rehabilitation centres.
Decree No. 178/2004/ND-CP (15 Oct 2004)	Details the education and rehabilitation requirements for child sex workers based on age determinants.

Laws, Decrees, National Plans, Policies and Other Measures relating to CSEC	Provisions/Goals/Objectives
Decree No. 14/2006/ND-CP (3 October 2006)	Provides administrative sanctions for letting children access pornography, touching a child's private parts or having a child touch the offender's private parts, inducing a child to be involved in sexual activities, is a fine.
Joint Circular No. 01/1998/TTLT/TANDTC-VKSNDTC-BNV (1 January 1998)	Provides that the lower the age of the victim, the more severe penalty is to be imposed on the offender.
National Program of Action for Preventing and Combating Prostitution (2001 – 2005)	Relating to Decision No. 151/2000/QD-TTg (28 December 2000), aimed at combating and preventing the situation of prostitution for women and children in Viet Nam
National Program of Action for Preventing and Combating Prostitution (2006 – 2010) Decision No. 52/2006/QD TTg (8 March 2006)	To combat and prevent the prostitution of women and children in Viet Nam with focus on prevention, legal document development, handling violating behaviours, and treatment, education, vocational training and reintegration
National Program of Action for Preventing and Combating Prostitution (2011-2015) Decision No. 679/2011/QD TTg (10 May 2011)	To combat and prevent the prostitution of women and children in Viet Nam.
National Program of Action for Vietnamese Children (2001 – 2010)	Relating to Decision No. 23/2001/QD-TTg (26 February 2001) this program is designed to improve the situation of Vietnamese children.
National Program of Action for Preventing and Tackling the Issues of Street Children, Sexual Abuse of Children and Child Labour (2004 – 2010) Decision No. 19/2004/QD-TTg (12 February 2004)	Contains initiatives to prevent the issues of street children, child sexual abuse, and child labour and treatment responses for children who have already been affected.
Children and Child Labour (2004 – 2010) Decision No. 19/2004/QD-TTg (12 February 2004)	
National Plan Against Trafficking (2004-2010)	Focused on preventing, identifying, investigating and punishing trafficking crimes.

Laws, Decrees, National Plans, Policies and Other Measures relating to CSEC	Provisions/Goals/Objectives
National Program on Social Work Profession Development (2010 – 2020) Decision No. 32 Approval for Proposal of Development of Social Work Profession	Aims to develop social work into a profession and thereby develop national social work service delivery to contribute to an advanced social security system.
National Program for Child Protection (2011- 2015)	<b>Aims to create a safe and healthy living environment in which all children are protected including the prevention and elimination of factors leading to child vulnerability, the minimisation of children in special circumstances, the provision of support and recovery services to promote social reintegration</b>
National Plan of Action on Counter Human Trafficking (2011 – 2015)	Aims to create changes in awareness and actions for society on preventing and combating human trafficking and providing victim assistance in reintegration.
Bilateral Agreements (Memoranda of Understanding) on Eliminating Trafficking in Women and Children and Assisting Victims of Trafficking	<p>Viet Nam – Cambodia MOU (signed in Phnom Penh - 10 October 2005)</p> <p>Viet Nam – Thailand MOU (signed in Ha Noi – 24 March 2008)</p> <p>Viet Nam – China MOU (signed in Beijing – 15 September 2010)</p> <p>Viet Nam – Laos MOU (signed in Ha Noi – 3 November 2010)</p>
Supreme Court Correspondence 73/TK (2 Mar 1995)	Provides general instructions on child sexual abuse trials related to having sex with children under 16 years old, organising and mediating child prostitution.

## ANNEX 7 – LIFE STORIES

### **Thao's Story<sup>162</sup>**

*Thao is a 19 year old girl. Thao was trafficked from her home in Thanh Hoa and forced to work as a prostitute in Ha Noi when she was 17 years old. Thao was interviewed at the Ba Vi 05/06 Centre where she had spent the previous ten months following her arrest for prostitution.*

My father is a victim of Agent Orange, so my parents' first son died at birth. My parents adopted a son but he drowned when he was five years old. I am the biological daughter of my parents. I was eight months old when my adopted brother drowned. There was no drug or alcohol abuse in my family. The only difficulty was my father's disability from Agent Orange. My parents always loved me, but they worked far away from home, so they didn't spend enough time with me.

In 2009, when I was 17 years old, my friend invited me to go from Thanh Hoa to Ha Noi. We stayed with her boyfriend for two days, but I started to feel homesick and asked them to take me to the bus station. But, the boyfriend took me to a karaoke bar and said I could wait for him for a few minutes. He didn't return. The owner told me she had paid money for me. She put me in a closed room with no food and water. I cried and begged them to release me and promised to pay the money back. For the first time in my life, I kneeled in front of another person to beg them for help, but they slapped me in the face. From that point on I was forced to have sex with the customers.

I was the youngest, so every day I had to sell sex to 10 - 12 customers. When I talked to other people at this centre, I realised that they usually have to serve five or six customers per day. But, I had to serve more. Even when I was sleeping they woke me up to serve customers. Sometimes I could hardly walk from so many customers. Each time I served customers I received 600,000 VND. But, all the money was taken away. I could never pay back the debt because I was forced to pay for accommodation and meals. I tried to escape several times, but the security caught me and I was beaten up many times.

At last I felt like I was in the mud already, like there were stains all over me and that I couldn't wash them off, so I didn't fight anymore. The customers were very rude and treated me like a toy and did whatever they wanted. They would beat me, scold me and swear at me.

One day, the police arrested me and the bar owner. I was sent here, but the bar owner had money and got out quickly. I have been here for 10 months. There are two months left. I don't know what to do after being released. I haven't contacted my parents. They don't know I'm here. They think I am in Ha Noi. Someone else from my area was staying in the centre, but when she was released, I asked her not to tell. I feel ashamed and don't want to face my parents. I don't want them to be blamed by the neighbours. I fear I'm disappointing them. Before I left Thanh Hoa I could never imagine I would do that job. Even now, it's like a bad dream. When my friend sold me to the brothel, there was not one person to help. My big regret is being friends with that girl and her boyfriend. Now I have huge hatred of them and the owner of the karaoke bar.

I would like to help other children so they don't go down the road like my situation. I hope in Viet Nam there will not be people like the brothel owners anymore. They have no conscience and are very cruel. We are just the tool to make money. They don't care what we think and how we are hurt. I just hope that this sex job will be eliminated so no one will suffer like me.

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162 To protect the identity of child victims, no real names are used in this report.

## Mai's Story

*Mai is from Ninh Hoa. Mai became a victim of prostitution at 14 years old.*

I went to the 'lóp lá' school (a special school for children who don't know how to read and write). I did well at school, but I dropped school when I was in Grade Five because the students in my class teased me and called me 'daughter of a husband thief'. We were fighting, so I didn't want to go to school.

I don't know whether my parents are still living because I left home a few years ago already. I don't know who my father is. He left home when I was born. My mother had five children, and then she met a man who already has a family. They lived together in a secret way. But, when I was 12 years old, the man's wife learned about my mother and came to my house to beat and swear at my mother. That's why my friends call me 'daughter of a husband thief'. I felt embarrassed. My mother beat me a lot and didn't care for me. She is only interested in her second husband. My sister died, and I was mad because I only had one sister who I could talk with. So, I escaped from home, and I didn't contact my family again.

I went to Nha Trang where I had a boyfriend. I first experienced sexual contact with him when I was 14 years old. I've had five abortions. The last time I had an abortion, I was five months pregnant. At that time, I learned that my boyfriend already had another girlfriend. It made me so mad that I had an abortion.

After that, I didn't know where to go. So, I had to work at the restaurant in a VIP room. First it just involved sitting and drinking with the customers. They usually gave me 200,000 – 300,000 VND. But, then I did sex work. I had to work all week from 12 noon until 1am the next day. I would meet five to seven customers per day. I spent all of the money to buy cosmetics, perfume, jewellery and drugs (choi da). It cost me one million VND per day. My customers were old men aged between 40 to 60 years old. They eat and drink a lot and then they want to have sex. They are the authorities.

Sometimes the customers filmed and photographed me while we were engaged in sexual activities. I let them film me by their mobile phone so they can remember me and then come back. I viewed films of other children engaged in sexual activities on the mobile phone of other girls. Sometimes after we saw those films we were aroused and we went out in the street to find customers.

I have been beaten and blamed by the customers. Some customers forced me to do sex without condoms. They slapped my face when I refused. Some forced me to do oral sex. I didn't agree but they just put their penis in my mouth. I have STI symptoms.

At my guest house the girls were all like me. Their parents are divorced, their siblings fight, their families went to prison and some have boyfriends who forced them to work. Parents need to treat their children in a fair way. They need to care about the children and not neglect them.

## Linh's Story

*Linh is a 17 year old girl. She was interviewed in the Phu Nghia 05/06 Centre. Linh is a victim of prostitution.*

I was born in 1993. I come from Chau Doc, and I'm ethnic Kinh. My parents are married. My father is a construction worker, and my mother is a cook for wedding parties. I have one older sister. I went to school in Chau Doc and finished in Grade Eight. I had many friends at school, but I just dropped out because I didn't want to go any more. I left An Giang so I could find work in Ho Chi Minh City. When I decided to go to Ho Chi Minh City my mother cried and didn't want me to go. At the time I was 15 years old and a virgin.



First, I got a job at a ball pen factory near Ho Chi Minh City, but I heard I could get more money working at a coffee shop. An old man who always came to the cafe asked me to sell my virginity, but I didn't dare. After that I met a boyfriend, and we had sexual relations. When the old man returned to the cafe, I agreed to have sex, but I felt so painful. He gave me three million VND (USD\$15). After that, he came back every three or four days. I saved enough money to buy a mobile phone and sent the rest to my mother. Many times my parents called me to alert me and warn me about the risks in Ho Chi Minh City. I promised them that I wouldn't do such a dirty job. They didn't want me to give them money, but I knew they needed it.

After that, a lady in the cafe convinced me to do sex work in a massage shop. She convinced me to do it because I wasn't a virgin anymore. I thought I could help my parents more, so I agreed. First I was so scared. When I provided massage, I had to take my clothes off, but I did not dare to. The first customer was from Australia. He was 20-30 years old and spoke Vietnamese very well. I was 15 years old and the youngest girl, so I had the most customers. I worked there for six months. I had many different clients. Some just rented me for one hour, others took me for a whole night. If they go for one hour, they pay 250,000 VND. With that money, I pay 50,000 VND to the xe om driver and kept 200,000 VND. If I go with clients overnight, I pay 200,000 VND to the xe om and keep one million VND. The customers are Vietnamese and overseas people. They come from Korea, America, Hong Kong and other places. Many customers are polite, but some are very aggressive. They use their hand to punch me. They hurt me. Sometimes they hurt me during sex. One time I swore due to the pain of sex and the customer punched me. We get more money if we don't use a condom. We're young, we have no choices and we don't think about tomorrow. Many times I didn't use a condom.

I did sex work in a hotel for four months for the money. I had to work every day and night and I was closely watched and locked in the house except when I went with a client. I had no choice to stop because I wanted to help my parents. My mother was worried and she came to see me. So, I asked the staff in the first coffee shop to pretend that I worked there. My mother believed me and went back to Chau Doc. I felt sad for lying.

I was working at the hotel when I got caught. I got caught by the police when I crossed the road. The police knew the owner and this is the second time she got caught. They asked me if I was a sex worker. I didn't admit that. First I was taken to Binh Trieu Centre. I lived there for more than one month, and then I was sent here. When I was caught, I didn't want my parents to know because I was afraid they will be sad. But the hotel owner cares about me so she called my parents. My father came to Binh Trieu Centre to see me.

He cried and cried a lot and asked me what I was caught for. I can't tell him, so I said I got caught because I didn't have an ID card. My parents visit me often and work with the centre to complete the papers.

Maybe I will be here for two months. It's already six weeks. Life is peaceful, but the workload is too heavy. I understand they ask me to do heavy work here so I don't make a mistake again and come back here. They want me to avoid the old road. In the centre, you must work hard so you never dare to come back. I wanted to do hairdressing since I was a child. I want to go back to my hometown and learn there. My parents also want me to go back. But, I feel so guilty with my parents. I don't know what I will do when I leave here.

## **Hung's Story**

*Hung is a 17 year old boy. Hung is a victim of prostitution, currently working in Ho Chi Minh City.*

I have been in Ho Chi Minh City for exactly six months and 17 days. I know because my father died seven months ago. I came here to earn enough money to build a grave for my father. My home

town is Ha Noi. Already, my mother had to sell our land to have enough money for us. My mother didn't want me to come here. She cried. She warned me that people make many kinds of sweet invitations in Ho Chi Minh City. Now I met many experiences like drugs and sex work.

My customers look like other people. They go around with different boys each day. Most customers are over 30 years old. I don't know how many boys are working in this park, I saw many. If boys are handsome, the price is high, if they are ugly, the price goes down. Often the customers don't want to use a condom. How can we be strong to refuse when we need the money? I realise it will take me a long time to earn the money. Even after I get the money from the customers, I must pay some small money for food. My life is worse than I expected. All I want to do is help my mother and respect my father by getting enough money to build his grave.

## **Phuong's Story**

*Phuong is a 16 year old girl. Phuong was trafficked to Cambodia when she was 14 years old. Phuong was interviewed in a shelter in An Giang.*

My mother and father are married. They are doing paid farming. I have one younger sister. When I was little, my father beat my mother, but this was less and less when I got older. But, we had difficulties with housing. We lived with my grandmother on my mother's side.

When I was 13 years old, I stopped living with my parents. I wanted to look for a job, but nobody would take me because I was too young. I made two attempts to go to Cambodia. On the first time my parents did not agree, and I was not successful. On the second time, I went with my friends. One friend was around 30-40 years old. The other one was 20 years old. My parents knew. We crossed the border then travelled by bus to a place in Cambodia near the Thailand border. I spent one week at my friend's house, then they took me to 'that place'. I didn't know that I was going there. And, I was scared because I didn't know what I'm supposed to do. It was my first time to go with someone. I don't

want to speak about the bad customers or the things that happened to me. I only stayed there ten days before the police came one morning and released me. I was sleeping when they arrived. I stayed with the police for two days. Afterwards, I was referred to a centre in Phnom Penh. I stayed in the centre for one year. My experience was up and down.

Now, I've been here for five months. I'm studying hairdressing and I learn the whole day. I want to set up a hair salon, but I'm not sure how long it will take. I haven't thought about my future. I get a headache if I think about it too much. I don't want other children to follow what happened to me in Cambodia.

## **Nga's Story**

*Nga is 23 years old. Nga is a victim of child prostitution. She was interviewed in the Phu Nghia 05/06 Centre.*

People need to know that this isn't always because of money. Sometimes it is just the circumstance. Because of my family circumstance, my family must use a lot of money for my brother's mental health problem. They have to give him a lot of attention and medical needs. Nobody else can help them. So, I began work when I was young (16 years old) to help my family and my parents. I do this job for my brother. I do my best to help my parents and I can never tell them and never want them to know how I get the money to support them.

## Tu's Story

*Tu is a 17 year old girl who was trafficked to Cambodia when she was 15 years old. Tu was interviewed in an NGO shelter in An Giang.*

I left school after sixth grade (four years ago) because I wanted to find a job. But, I couldn't get a job because I was too young. When I was 15 years old, I stopped living with my parents. I had a friend in Cambodia, and when she came back, she invited me to go with her to find work. She was three years older than me. I agreed and I travelled with her. We crossed to Cambodia via a rice field during the day time. We wore conical hats like we were farmers and just walked across the field. After that, we walked some way, then we took a bus to Phnom Penh. I didn't expect it beforehand, but she took me to 'that place' [brothel] in Phnom Penh. My friend took me to a house and then I learned they expected me to have sex with customers. There were many other girls there from Cambodia and Viet Nam.

Although, I had one boyfriend before, I was scared. Each day, I had to receive 2-3 customers from many countries. They were Vietnamese, Cambodian and foreigners. I didn't have photos or video taken, but two times I was violently beaten. Violence was a big problem. Once I was beaten by a man from the north of Viet Nam, the other time by a Cambodian man. I was taken to hospital, but I had to pay for the treatment myself. I attempted to escape, but I was unsuccessful. We were all supervised 24 hours a day. I couldn't leave that place. I stayed there for four months, and I received payment each month which I sent home to my grandmother. One day the police came and they took us out of that place. We stayed with the police for 48 hours and they said we would be released, but instead they sent us to a centre in Phnom Penh. I stayed in that centre for nine months before I could come back to Viet Nam. At the centre, I learned to speak Khmer. Then I was brought back to Viet Nam and later I was introduced to this centre. I have been here for five months. I learn tailoring. I want to open a tailor shop.

From my experience in a brothel, I want to advise other children in Viet Nam not to follow my path. We need to meet and talk with children to give them advice so that they are not tricked into this terrible work.

## Lien's Story

*Lien is 17 years. Lien is currently residing in a Lao Cai shelter due to recent experiences of sex trafficking.*

I was tricked by my friend to go to China. I was there for one week, but I was forced to have sex with 30 men per day. Each day I had so much pain. After one week, I visited the doctor because of internal damage to my reproductive organs. The kind doctor called the police and helped me escape. The police helped me to return to Viet Nam. The doctor said I have serious medical problems including TB – even though I was in China for only one week. I feel so sick and desperate about my situation. How did this happen to me?

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