



Research Article

Legal Instruments Protecting Victims of Human Trafficking in Developing Countries: A Vietnam Case Study

*Oanh Thi Cao*¹ and *Tuan Van Vu*²

¹ *Faculty of Criminal Law, Hanoi Law University, Hanoi, Vietnam,*
<https://en.hlu.edu.vn/>

² *Faculty of Legal Foreign Languages, Hanoi Law University, Hanoi, Vietnam,*
<https://en.hlu.edu.vn/>

Abstract: Vietnam is a developing country where human trafficking remains a serious problem, fueled by socio-economic disparities, gender discrimination, and a lack of awareness. Despite international efforts to combat this crime, effective victim protection remains a major challenge. This study examines how Vietnam fosters legal instruments to protect victims of human trafficking and identifies lessons relevant to countries facing similar challenges. It reviewed primary and secondary sources on national and international legislative and normative instruments supporting the protection of human trafficking victims, including the 2015 Vietnam Criminal Code, the 2011 Law on Human Trafficking Prevention and Combat, and international agreements such as the 2000 UN Palermo Protocol. The study also considered additional relevant legal developments, including the 2016 Law on Children, regional cooperation mechanisms such as the ASEAN Convention against Trafficking in Persons, and the 2017 amendment to the Criminal Code. The results indicate that Vietnam has established many important legal instruments for victim protection, but enforcement remains inconsistent due to limited inter-agency coordination, bureaucratic procedures, and a lack of victim-centered approaches. Additionally, victim support services are often underfunded, and rehabilitation programs lack long-term effectiveness. A legislative reform is necessary, including the introduction of more comprehensive victim services and victim-centered le-

gal frameworks to combat human trafficking effectively. Furthermore, international cooperation and domestic reform are essential to sustaining such achievements in the long term.

Keywords: gender inequality, human trafficking, legal instruments, legal frameworks, victim protection.

Introduction

Human trafficking, also known as modern-day slavery, is a global issue affecting millions of people annually. It involves the illegal exploitation of people through force, fraud, or coercion for various purposes, including sexual abuse, forced labor, and involuntary servitude. It is both a human rights violation and a form of organized crime that often operates transnationally, exploiting vulnerable communities. It is particularly common in areas characterized by socio-economic instability, inadequate legal protections, and high levels of corruption. Problems such as poverty, gender inequality, lack of education, and poor implementation of existing legislation have a particularly negative impact on developing nations such as Vietnam.¹

Southeast Asia, including Vietnam, is a major source, transit, and destination region for human trafficking. Women and children are frequently targeted, as they are often trafficked for sexual exploitation or involuntary labor in domestic work, agriculture, and the entertainment industry. Traffickers typically lure vulnerable people with false promises of better opportunities and a brighter future in urban centers or abroad.² Once trapped, victims often suffer physical and emotional trauma, frequently without any chance of escape because traffickers

¹ Danièle Bélanger, "Labor Migration and Trafficking among Vietnamese Migrants in Asia," *The ANNALS of the American Academy of Political and Social Science* 653, no. 1 (2014): 87-106, <https://doi.org/10.1177/0002716213517066>; Motseki Morero Moses, "An Exploration of Corruption and Human Trafficking: The South African Case," *Cogent Social Sciences* 8, no. 1 (2022): 2116808, <https://doi.org/10.1080/23311886.2022.2116808>; Nguyen Thi Bich Mo and Do Thanh Trung, "International Cooperation against Trafficking in Women and Children: Situation and Solutions," *Vietnam Law & Legal Forum*, February 23, 2024, <https://vietnamlawmagazine.vn/international-cooperation-against-trafficking-in-women-and-children-situation-and-solutions-71416.html>.

² Katharine Bryant and Todd Landman, "Combatting Human Trafficking since Palermo: What Do We Know about What Works?" *Journal of Human Trafficking* 6, no. 2 (2020): 119-140, <https://doi.org/10.1080/23322705.2020.1690097>; Deanna Davy, "Justice for Victims of Human Trafficking in Australia? Issues Associated with Australia's Criminal Justice Response to Trafficking in Persons," *Contemporary Justice Review* 20, no. 1 (2017): 115-131, <https://doi.org/10.1080/10282580.2016.1262773>; Amy Farrell, Rebecca Pfeffer, and Katherine Bright, "Police Perceptions of Human Trafficking," *Journal of Crime and Justice* 38, no. 3 (2015): 315-333, <https://doi.org/10.1080/0735648X.2014.995412>.

exercise control over them.³ These conditions highlight the importance of effective legal protection mechanisms to ensure that victims are identified, assisted, and reintegrated into society.

Human trafficking is a complex issue that requires a comprehensive legal framework for prevention, victim protection, and perpetrator accountability. Key normative frameworks, such as laws, regulations, and international treaties, establish the legal rights and responsibilities of all actors involved in combating trafficking. In countries where human trafficking is a pressing concern, such as Vietnam, the effectiveness of these legal frameworks is crucial. Legislative and normative instruments must criminalize trafficking and include specific measures to prevent trafficking, protect and assist victims and their families, and prosecute traffickers.⁴ Accordingly, these laws should conform to international human rights standards and conventions, such as the 2000 UN Palermo Protocol.⁵

Legislative frameworks help ensure that victims receive the protection guaranteed by law, upholding their dignity and rights, including access to shelters, medical treatment, and psychological assistance.⁶ Victims should also be protected from punishment for acts committed under duress, whether related to

³ Scott H. Decker, "Human Trafficking: Contexts and Connections to Conventional Crime," *Journal of Crime and Justice* 38, no. 3 (2015): 291-296, <https://doi.org/10.1080/0735648X.2015.1039792>; Natalya Timoshkina, "Human Trafficking: Assumptions, Evidence, Responses," *International Journal of Arts and Sciences* 7, no. 4 (2014): 409-421, <http://universitypublications.net/ijas/0704/html/T4N451.xml>.

⁴ Idil Atak and James C. Simeon, "Human Trafficking: Mapping the Legal Boundaries of International Refugee Law and Criminal Justice," *Journal of International Criminal Justice* 12, no. 5 (2014): 1019-1038, <https://doi.org/10.1093/jicj/mqu093>; Jackie Jones and John Winterdyk, "Introduction: Human Trafficking: Challenges and Opportunities for the 21st Century," *Oñati Socio-Legal Series* 8, no. 1 (2018): 1-10, <https://doi.org/10.35295/osls.iisl/0000-0000-0000-0927>; Marie Segrave, "Human Trafficking and Human Rights," *Australian Journal of Human Rights* 14, no. 2 (2009): 71-94, <https://doi.org/10.1080/1323238X.2009.11910855>.

⁵ United Nations, "Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, Adopted and Opened for Signature, Ratification and Accession by General Assembly Resolution 55/25 of 15 November 2000" (Palermo Protocol), accessed January 8, 2025, <https://www.ohchr.org/sites/default/files/ProtocolonTrafficking.pdf>.

⁶ Amy Farrell and Rebecca Pfeffer, "Policing Human Trafficking: Cultural Blinders and Organizational Barriers," *The ANNALS of the American Academy of Political and Social Science* 653, no. 1 (2014): 46-64, <https://doi.org/10.1177/0002716213515835>; Carolina Villacampa and Núria Torres, "Human Trafficking for Criminal Exploitation: Effects Suffered by Victims in Their Passage through the Criminal Justice System," *International Review of Victimology* 25, no. 1 (2019): 3-18, <https://doi.org/10.1177/0269758018766161>.

prostitution or labor, and the legal structure must include safeguards to protect their rights throughout judicial processes.⁷

Rather than attempting to analyze all developing countries broadly, this study deliberately focuses on Vietnam as a representative case study. By examining Vietnam's legal and institutional framework for protecting trafficking victims, the article seeks to understand how international anti-trafficking norms are translated into domestic legislation and how these frameworks function in practice within the context of a developing country.

Specifically, the study aims to examine the implementation of legislative and normative instruments for the protection of victims of human trafficking in Vietnam, focusing on laws and regulations concerning victim protection and trafficker accountability.⁸ It explores national legal frameworks and international agreements to assess their effectiveness in a developing-country context.⁹ The study reviews the protections provided by Vietnam's legal framework to combat human trafficking, particularly concerning victim protection. It also examines the application of existing laws, identifies gaps in the law, shortcomings in enforcement, and systemic failures, and offers recommendations for addressing these issues. In addition, the study considers the influence of international conventions and regional cooperation mechanisms, including the ASEAN Convention against Trafficking in Persons, in shaping Vietnam's domestic anti-trafficking policies.

The findings may provide a practical framework for policymakers and other stakeholders seeking to develop effective measures to mitigate human trafficking. Accordingly, the study seeks to answer the following questions:

1. How do international legal frameworks influence national laws protecting victims of human trafficking in Vietnam?
2. What are the main gaps in Vietnam's legal framework for protecting victims of human trafficking?
3. How can law enforcement training and social service provider training improve victim identification and protection in Vietnam?

⁷ Luis CdeBaca and Jane Nady Sigmon, "Combating Trafficking in Persons: A Call to Action for Global Health Professionals," *Global Health: Science and Practice* 2, no. 3 (2014): 261-267, <https://doi.org/10.9745/GHSP-D-13-00142>; Stacey Cutbush et al., "The Outcomes for Human Trafficking Instrument: Validity and Reliability Testing," *Journal of Human Trafficking* 9, no. 3 (2023): 299-310, <https://doi.org/10.1080/23322705.2021.1928860>.

⁸ Nguyen and Do, "International Cooperation against Trafficking in Women and Children"; Decker, "Human Trafficking: Contexts and Connections to Conventional Crime."

⁹ Jay S. Albanese, Rose Broad, and David Gadd, "Consent, Coercion, and Fraud in Human Trafficking Relationships," *Journal of Human Trafficking* 8, no. 1 (2022): 13-32, <https://doi.org/10.1080/23322705.2021.2019529>; Deanna Davy, "Anti-Human Trafficking Interventions: How Do We Know if They Are Working?" *American Journal of Evaluation* 37, no. 4 (2016): 486-504, <https://doi.org/10.1177/1098214016630615>.

Methods and Materials

The qualitative study used a comparative analysis of secondary sources to evaluate the consistency of international legal provisions on victim protection with Vietnam's national legal instruments. It applied a structural approach to comparative law, as suggested by Samuel.¹⁰ This method involved a detailed review of key international treaties, such as the 2000 UN Palermo Protocol,¹¹ and regional agreements on human trafficking, examining their provisions for victim protection. These international frameworks were then compared with Vietnam's national laws, policies, and reports, including the 2011 Law on Human Trafficking Prevention and Combating (hereafter referred to as Law No. 66/2011/QH12) and the national action plans on human trafficking. The analysis aimed to identify discrepancies, gaps, and similarities between international standards and national regulations.

Further, secondary sources, including academic articles, government publications, and reports from international organizations such as the United Nations (UN)¹² and the International Organization for Migration (IOM),¹³ were used to gather relevant data and provide a broader understanding of the effectiveness and limitations of Vietnam's legal framework in addressing human trafficking and protecting victims.

Results and Discussion

The Nature and Scope of Human Trafficking in Vietnam as a Developing Country

Human trafficking is a crime that manifests differently in developed and developing countries. The nature and scope of human trafficking are influenced by socio-economic and political factors such as poverty, corruption, gender inequalities, ineffective legal frameworks, and a lack of awareness. Victims of trafficking can face various forms of exploitation, including sexual exploitation, labor exploitation, and involuntary servitude.¹⁴

Trafficking can occur for multiple purposes, such as forced prostitution, forced labor in domestic work, factories, and agriculture, child soldiering, and illegal organ trade. Victims of trafficking often urgently need education, infor-

¹⁰ Geoffrey Samuel, *An Introduction to Comparative Law Theory and Method* (Oxford: Hart Publishing, 2014).

¹¹ United Nations, Palermo Protocol.

¹² United Nations, "Peace, Dignity and Equality on a Healthy Planet," www.un.org/en/.

¹³ International Organization for Migration (IOM), <https://www.iom.int>.

¹⁴ Albanese, Broad, and Gadd, "Consent, Coercion, and Fraud in Human Trafficking Relationships"; Biljana Meshkovska, Melissa Siegel, Sarah E. Stutterheim, and Arjan E.R. Bos, "Female Sex Trafficking: Conceptual Issues, Current Debates, and Future Directions," *The Journal of Sex Research* 52, no. 4 (2015): 380-395, <https://doi.org/10.1080/00224499.2014.1002126>.

mation, or alternative employment opportunities, which means that some ethnic minorities and rural populations in Vietnam are among the most vulnerable groups.¹⁵

Southeast Asia has become a significant region for human trafficking, with victims being trafficked both internally and across borders. Trafficking can occur in various forms, such as sex trafficking, labor trafficking, and domestic servitude. Many Vietnamese victims are trafficked within Vietnam while seeking employment in cities such as Hanoi and Ho Chi Minh City, or in neighboring countries such as China, Thailand, and Cambodia. Others are trafficked further away to countries such as Malaysia, Taiwan, South Korea, and the Middle East.¹⁶ The problem is exacerbated by the deceptive schemes used by traffickers to lure victims into exploitative conditions.¹⁷

Vietnam's socio-economic conditions strongly influence human trafficking. One of the most significant risk factors is poverty, which makes people more vulnerable to trafficking. In rural areas, where many people depend on agriculture and subsistence farming, individuals are often unaware of trafficking risks or unable to access information about legal migration opportunities. This divide between urban centers and rural regions makes residents more susceptible to false promises of employment opportunities in cities and abroad.¹⁸

Gender discrimination, particularly in relation to sexual exploitation, is another significant factor contributing to human trafficking. Women and girls are trafficked for prostitution more frequently than for forced labor, often through false promises of employment in the entertainment industry or as domestic workers abroad. In Vietnam, women may be more economically dependent on their families or husbands, leaving them in a more vulnerable position. Gender also plays a role in human trafficking for labor purposes, as women are fre-

¹⁵ Bélanger, "Labor Migration and Trafficking among Vietnamese Migrants in Asia"; Davy, "Anti-Human Trafficking Interventions: How Do We Know if They Are Working?"; Fakhrul Islam, "Human Trafficking Law Enforcement Over the Victims and Offenders: The Perspective of Anti-Trafficking Stakeholders," *Victims & Offenders* 19, no. 8 (2024): 1512-1540, <https://doi.org/10.1080/15564886.2023.2227964>.

¹⁶ Cutbush et al., "The Outcomes for Human Trafficking Instrument."

¹⁷ Saba Demeke, "A Human Rights-based Approach for Effective Criminal Justice Response to Human Trafficking," *Journal of International Humanitarian Action* 9, Article no. 4 (2024), <https://doi.org/10.1186/s41018-023-00143-4>; Sheldon X. Zhang, "Progress and Challenges in Human Trafficking Research: Two Decades after the Palermo Protocol," *Journal of Human Trafficking* 8, no. 1 (2022): 4-12, <https://doi.org/10.1080/23322705.2021.2019528>.

¹⁸ Alexandra Schultheis Moore and Elizabeth Swanson Goldberg, "Victims, Perpetrators, and the Limits of Human Rights Discourse in post-Palermo Fiction about Sex Trafficking," *The International Journal of Human Rights* 19, no. 1 (2015): 16-31, <https://doi.org/10.1080/13642987.2014.980404>.

quently exploited in domestic servitude or bonded labor in sectors such as textiles, agriculture, and hospitality.¹⁹ These sectors are often characterized by low pay, long working hours, and poor working conditions.

Another factor contributing to this problem is the lack of education and information. Many Vietnamese citizens, especially those living in rural or marginalized regions, are likely to be unaware of the tactics used by traffickers, as well as the legal and social protections available to them. Traffickers take advantage of this lack of awareness by offering false job opportunities and exploiting victims' need for education or employment.²⁰ Once trafficked, victims are usually isolated, unable to speak the local language, and dependent on their traffickers, making it difficult for them to ask for help.

In addition to socio-economic factors, human trafficking in Vietnam is greatly influenced by insufficient legal frameworks and weak enforcement of existing laws.

The Impact of International Legal Frameworks on Vietnam's Victim Protection System for Trafficking in Persons

Human trafficking has far-reaching implications, as it affects millions of people around the world. Countries have therefore implemented numerous measures to mitigate the effects of human trafficking and support victims. Cases in developing countries such as Vietnam, where trafficking patterns emerge both from and into the country, require strategic legal measures to protect victims.²¹ Treaties, conventions, and regional agreements are examples of international legal instruments that, alongside national legislation, provide a broad framework for developing countries to combat trafficking and to provide effective protection and care for victims. These instruments include protective mechanisms to ensure that victims of trafficking are identified and offered adequate support to facilitate their rehabilitation and reintegration.²² One way to determine the effect of international legal instruments on victims in developing countries is to

¹⁹ Jill E.B. Coster van Voorhout, "Combatting Human Trafficking Holistically through Proactive Financial Investigations," *Journal of International Criminal Justice* 18 no. 1 (2020): 87-106, <https://doi.org/10.1093/jicj/mqaa013>; Meshkovska, Siegel, Stuttheim, and Bos, "Female Sex Trafficking: Conceptual Issues, Current Debates, and Future Directions."

²⁰ Farrell and Pfeffer, "Policing Human Trafficking: Cultural Blinders and Organizational Barriers."

²¹ Ryszard Wilson Piotrowicz and Liliana Sorrentino, "Human Trafficking and the Emergence of the Non-Punishment Principle," *Human Rights Law Review* 16, no. 4 (2016): 669-699, <https://doi.org/10.1093/hrlr/ngw028>.

²² FikreJesus Amahazion, "Human Trafficking: The Need for Human Rights and Government Effectiveness in Enforcing Anti-Trafficking," *Global Crime* 16, no. 3 (2015): 167-196, <https://doi.org/10.1080/17440572.2015.1019613>; Jessica Aycock, "Criminalizing the Victim: Ending Prosecution of Human Trafficking Victims," *Criminal Law Practitioner* 5, no. 1 (2019): 6-24, <https://digitalcommons.wcl.american.edu/clp/vol5/iss1/2>; Decker, "Human Trafficking: Contexts and Connections to Conventional Crime."

examine the alignment of national laws with international standards, the effectiveness of these laws, the role of international cooperation, and the challenges faced in ensuring compliance with international obligations.

Many international legal frameworks have had a significant impact on combating human trafficking by providing a comprehensive approach to tackling the issue. The United Nations Convention against Transnational Organized Crime (UNTOC)²³ and the 2000 UN Palermo Protocol²⁴ are two of the most significant international instruments adopted to promote a victim-centered approach to combating human trafficking. The UNTOC²⁵ and the 2000 UN Palermo Protocol²⁶ seek to ensure that victims are not criminalized for trafficking-related offenses, have access to legal services, and receive shelter, medical care, and other social services. The Council of Europe Convention on Action against Trafficking in Human Beings (GRETA.2024.11)²⁷ provides further victim-protection measures, including housing, legal counsel, and assistance in claiming compensation.²⁸ It also emphasizes the need for victims' cooperation in prosecuting traffickers and for states to offer residence permits to victims. The International Labour Organization's Forced Labour Convention (1930)²⁹ and the Protocol of 2014 to the Forced Labour Convention³⁰ focus on preventing forced labor and ensuring compensation and access to remedies for victims. These frameworks are essential in shaping national legislation and practices in developing countries such as Vietnam,

²³ United States Office on Drugs and Crime (UNODC), "The United Nations Convention against Transnational Organized Crime and the Protocols Thereto," adopted by the UN General Assembly on November 15, 2000, by resolution 55/25, Entry into force: September 29, 2003, in accordance with Article 38, <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>.

²⁴ United Nations, Palermo Protocol.

²⁵ UNODC, "The United Nations Convention against Transnational Organized Crime."

²⁶ United Nations, Palermo Protocol.

²⁷ Council of Europe: Group of Experts on Action against Trafficking in Human Beings (GRETA.2024.11), "Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Czech Republic," *Refworld*, October 11, 2024, https://www.refworld.org/reference/countryrep/coe_greta/2024/en/149126.

²⁸ Yvon Dandurand, "Human Trafficking and Police Governance," *Police Practice and Research: An International Journal* 18, no. 3 (2017): 322-336, <https://doi.org/10.1080/15614263.2017.1291599>; Farrell, Pfeffer, and Bright, "Police Perceptions of Human Trafficking"; Jones and Winterdyk, "Introduction: Human Trafficking: Challenges and Opportunities for the 21st Century."

²⁹ United Nations Human Rights Instruments, "Forced Labour Convention, 1930 (No. 29)," adopted by the General Conference of the International Labour Organisation at its fourteenth session, June 28, 1930, <https://www.ohchr.org/en/instruments-mechanisms/instruments/forced-labour-convention-1930-no-29>.

³⁰ United Nations Human Rights Instruments, "Protocol of 2014 to the Forced Labour Convention, 1930," adopted by the Governing Body of the International Labour Office on May 28, 2014, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-2014-forced-labour-convention-1930>.

which has ratified several of these instruments, demonstrating its commitment to addressing human trafficking and improving victim protection.

International legal instruments such as the 2000 UN Palermo Protocol,³¹ the OSCE framework,³² and the UNTOC³³ have strongly influenced Vietnam's efforts to prevent and combat human trafficking. In addition, Vietnam has enacted Law No. 66/2011/QH12³⁴ to prevent human trafficking and provide victim protection. The law provides for the identification of victims and offers assistance, including legal representation. When victims of trafficking are involved in legal proceedings, they are treated as victims of exploitation. The law also covers victim service provisions such as shelter, medical care, and social rehabilitation.³⁵ The government has also implemented services through NGOs in victim-protection centers.

Despite the existing legal frameworks, there are still areas of weak enforcement and implementation due to insufficient funding, training, and collaboration among law enforcement agencies. Moreover, bureaucracy, red tape, and a lack of public information on victims' legal rights adversely affect outcomes. This emphasizes the importance of appropriate legal frameworks and effective mechanisms for enforcing them.³⁶

The 2000 UN Palermo Protocol³⁷ calls for cooperation across national borders to address the transnational nature of human trafficking. This includes cooperation in investigations, prosecution of trafficking cases, and victim assistance. As a developing country, Vietnam has benefited from international assistance through bilateral agreements and regional programs.³⁸ Collaborative ef-

³¹ United Nations, Palermo Protocol.

³² Organization for Security and Co-operation in Europe (OSCE), OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings and OSCE Department of Management and Finance, "Combating Trafficking in Human Beings and Labour Exploitation in Supply Chains: Guidance for OSCE Procurement (Vienna, Austria: OSCE, 2021), https://www.osce.org/files/f/documents/9/f/502383_1.pdf.

³³ United States Office on Drugs and Crime (UNODC), "The United Nations Convention against Transnational Organized Crime and the Protocols Thereto."

³⁴ Vietnam National Assembly, "Law No. 66/2011/QH12 on Human Trafficking Prevention and Combating."

³⁵ Farrell and Pfeffer, "Policing Human Trafficking: Cultural Blinders and Organizational Barriers"; Joan A. Reid and Bryanna Fox, "Reforming the Criminal Justice Response to Human Trafficking Victims and Offenders: An Introduction," *Victims & Offenders* 18, no. 3 (2023): 393-398, <https://doi.org/10.1080/15564886.2023.2182856>.

³⁶ Aycock, "Criminalizing the Victim: Ending Prosecution of Human Trafficking Victims"; Jones and Winterdyk, "Introduction: Human Trafficking: Challenges and Opportunities for the 21st Century"; Zhang, "Progress and Challenges in Human Trafficking Research: Two Decades after the Palermo Protocol."

³⁷ United Nations, Palermo Protocol.

³⁸ Laura L. Shoaps, "Room for Improvement: Palermo Protocol and the Trafficking Victims Protection Act," *Lewis & Clark Law Review* 17, no. 3 (2013): 931-972, <https://law.lclark.edu/live/files/15325-lcb173art6shoaps.pdf>; Kate Roberts, "Life

forts with the United Nations Office on Drugs and Crime (UNODC)³⁹ and the International Organization for Migration (IOM) have enhanced systems for victim identification and rehabilitation services, while also strengthening the capacity of law enforcement agencies to combat human trafficking. Vietnam has also worked with neighboring countries, such as Cambodia and China, to address cross-border trafficking through joint enforcement operations, victim repatriation protocols, and joint victim-support programs. International legal frameworks provide the legal and institutional basis for these cooperative structures.⁴⁰

Vietnam continues to face challenges in implementing international laws and victim-protection systems, especially in handling human trafficking cases. Local authorities often lack specialized training, and there is inadequate coverage of cases related to labor, child, and transnational trafficking. Essential victim-protection services, such as shelters, medical care, psychosocial support, and legal assistance, also remain insufficient. Vietnam's social-service infrastructure remains inadequate, while bureaucratic and institutional constraints hinder the effective implementation of anti-trafficking measures. Weak law enforcement can allow traffickers to operate with impunity and may increase the risk of re-trafficking. Public awareness of human trafficking and victim-protection rights also remains low, especially in rural areas.

National Legal Instruments for Protecting Victims of Human Trafficking in Vietnam

Human trafficking victims are protected under international law, but their protection is also regulated and governed by national legal systems. Countries such as Vietnam must balance global obligations and responsibilities while establishing and implementing domestic laws. Integrating international legal standards into domestic legal systems presents challenges, including concerns related to sovereignty and the implementation of victim-centered approaches to crime control. National legislatures should ensure that domestic laws prohibit the criminalization of victims and provide adequate protection and rehabilitation measures.⁴¹ Law enforcement agencies, social welfare departments, and the judiciary should therefore be well-equipped to address trafficking cases. National regulations should also ensure compliance with international legal instruments such as the 2000 UN Palermo Protocol to enhance coordination, prosecution, and victim protection.

Vietnam addresses human trafficking through several national legal instruments, including measures aligned with the Protocol to the Palermo Convention

after Trafficking: A Gap in the UK's Modern Slavery Efforts," *Anti-Trafficking Review*, no. 10 (2018): 164-168, <https://doi.org/10.14197/atr.2012181012>.

³⁹ United Nations Office on Drugs and Crime (UNODC), <https://www.unodc.org>.

⁴⁰ CdeBaca and Sigmon, "Combating Trafficking in Persons: A Call to Action for Global Health Professionals."

⁴¹ Albanese, Broad, and Gadd, "Consent, Coercion, and Fraud in Human Trafficking Relationships"; Farrell, Pfeffer, and Bright, "Police Perceptions of Human Trafficking."

on Human Trafficking. Law No. 66/2011/QH12,⁴² which came into effect in 2012, focuses on human trafficking in the contexts of forced labor, sexual exploitation, and other related criminal activities. It mandates that government agencies and NGOs provide victim protection, including access to victim protection centers, shelters, medical care, psychological support, legal counseling, and reintegration assistance. Article 150 of the 2015 Vietnam Criminal Code (No. 100/2015/QH13)⁴³ clearly prohibits human trafficking for all purposes, including forced labor, prostitution, and organ trafficking. However, the implementation of Law No. 100/2015/QH13⁴⁴ may be less effective in remote and rural regions due to limited infrastructure and other complex challenges. The 2016 Law on Children No. 102/2016/QH13⁴⁵ addresses trafficking and other crimes against children, covering prevention, victim protection, and assistance. This law is essential in addressing the vulnerability of children to trafficking.⁴⁶

Vietnam's legal instruments aim to protect trafficking victims by ensuring their safety, dignity, and access to assistance in line with the country's international commitments under the 2000 UN Palermo Protocol. Law No. 66/2011/QH12⁴⁷ provides shelter, medical care, psychotherapy services, and temporary residence permits to support victims' security and integration. Rehabilitation services include vocational training. Vietnam has also established a Government Steering Committee⁴⁸ to coordinate anti-trafficking activities and support victims following their rescue. The committee educates trafficking victims about their rights and assists them with legal proceedings. NGOs are recognized by law as partners in service delivery and the administration of justice. The 2015 Criminal Procedure Code⁴⁹ ensures victims' rights during investigations

⁴² Vietnam National Assembly, "Law No. 66/2011/QH12 on Human Trafficking Prevention and Combating."

⁴³ Vietnam National Assembly (No. 100/2015/QH13) (amended 2017), "Law No. 100/2015/QH13 of the National Assembly: The Penal Code," Date of Issuance: November 27, 2015, Effective Date: July 1, 2016, accessed January 8, 2025, <https://vanban.chinhphu.vn/default.aspx?pageid=27160&docid=183216>. – in Vietnamese

⁴⁴ Vietnam National Assembly, "Law No. 100/2015/QH13: The Penal Code."

⁴⁵ Vietnam National Assembly (No. 102/2016/QH13), "Law No. 102/2016/QH13 of the National Assembly: Law on Children," Date of Issuance: April 5, 2016, Effective Date: June 1, 2017, accessed January 8, 2025, <https://vanban.chinhphu.vn/default.aspx?pageid=27160&docid=184566>. – in Vietnamese

⁴⁶ Bryant and Landman, "Combatting Human Trafficking since Palermo: What Do We Know about What Works?"

⁴⁷ Vietnam National Assembly, "Law No. 66/2011/QH12 on Human Trafficking Prevention and Combating."

⁴⁸ Vietnam Government, Steering Committee 138 for the National Programme on Crime Prevention and Control, "Regulations on the Operation of the Government's Steering Committee for Crime Prevention and Control," No. 12/QĐ-BCĐ138/CP, https://data.files.chinhphu.vn/cpp/files/vbpq/2017/01/12.signed_01.pdf. – in Vietnamese

⁴⁹ Vietnam National Assembly (No. 101/2015/QH13), "Law No. 101/2015/QH13 of the National Assembly: Criminal Procedure Code," Date of Issuance: November 27, 2015,

and prosecutions by providing legal support, protective measures, and the opportunity to testify while minimizing the risk of further harm.

As Vietnam develops legal instruments to protect trafficking victims, international legal developments, such as the 2000 UN Palermo Protocol, and regional instruments, such as the ASEAN Convention Against Trafficking in Persons,⁵⁰ have significantly influenced its efforts. Such agreements inform legal reforms and facilitate international cooperation by obligating states to take specific actions to combat trafficking, protect victims, and prosecute offenders. The 2000 UN Palermo Protocol includes provisions on the non-criminalization of victims, as well as long-term assistance and rehabilitation.⁵¹ The ASEAN framework⁵² also supports Vietnam's efforts to combat trafficking, assist victims, and safeguard their safety and dignity throughout the justice system.

Vietnam has made progress in creating protective laws for trafficking victims, but challenges remain in their implementation. One major issue is the insufficient training of local government and law enforcement officials to identify and support victims, which can result in missed opportunities for intervention.⁵³ Additionally, infrastructure for post-rescue care remains inadequate, as many victim protection centers lack sufficient funding. Public awareness of human trafficking is also limited, and victims often have no effective means of reporting their situation. Non-governmental and civil society organizations can help raise awareness, but their efforts are often hindered by insufficient collaboration among government agencies, NGOs, and the private sector.⁵⁴ This lack of coordination frequently results in inadequate assistance and delayed emergency responses.

National Legal Instruments in Combating Human Trafficking and Protecting Victims

Vietnam has made significant progress in developing legal instruments to combat human trafficking and protect victims. As human trafficking is considered a serious crime that threatens public security and human rights, Vietnam has gradually strengthened its legal framework to comply with international standards and respond to domestic challenges. The national legal system incorporates both

Effective Date: July 1, 2016, accessed January 8, 2025, <https://vanban.chinhphu.vn/default.aspx?pageid=27160&docid=183217>. – in Vietnamese

⁵⁰ Association of Southeast Asian Nations, "ASEAN Convention Against Trafficking in Persons, Especially Women and Children," November 23, 2015, <https://asean.org/asean-convention-against-trafficking-in-persons-especially-women-and-children/>.

⁵¹ Piotrowicz and Sorrentino, "Human Trafficking and the Emergence of the Non-Punishment Principle."

⁵² ASEAN, "ASEAN Convention Against Trafficking in Persons, Especially Women and Children."

⁵³ Aycock, "Criminalizing the Victim: Ending Prosecution of Human Trafficking Victims."

⁵⁴ Villacampa and Torres, "Human Trafficking for Criminal Exploitation: Effects Suffered by Victims."

domestic legislation and international commitments, including the 2000 UN Palermo Protocol and regional anti-trafficking agreements.⁵⁵

One of the most important legal instruments in Vietnam is Law No. 66/2011/QH12 on the Prevention and Combat of Human Trafficking.⁵⁶ This law establishes a comprehensive legal framework for defining trafficking offenses, identifying victims, and providing protection mechanisms for victims. The law clearly defines human trafficking to include acts such as sexual exploitation, forced labor, organ removal, forced marriage, and illegal adoption. It criminalizes the recruitment, transportation, transfer, harboring, or receipt of persons through coercion, deception, or abuse of power for the purpose of exploitation.⁵⁷

Victim protection is a central component of the law. It provides procedures for victim identification and ensures that victims are not criminally punished for acts committed under coercion during their exploitation. The law also establishes support mechanisms for victims, including psychological counseling, medical treatment, legal assistance, temporary shelter, and reintegration support. In addition, the law promotes public awareness campaigns and encourages cooperation among governmental agencies, local authorities, and international organizations to prevent trafficking.⁵⁸

Another key legal instrument is the 2015 Criminal Code of Vietnam, which strengthens the criminal prosecution of traffickers. Article 150 criminalizes human trafficking and provides penalties ranging from five to twenty years of imprisonment, depending on the severity of the offense. More severe punishments may apply in cases involving organized trafficking networks, large-scale exploitation, serious injury, or the death of victims. The 2015 Criminal Code also criminalizes related offenses, such as organizing trafficking networks and exploiting victims through threats, violence, or deception. Through these provisions, the 2015 Criminal Code provides a legal basis for prosecuting traffickers and reinforcing deterrence against trafficking crimes.⁵⁹

In addition, the 2016 Law on Children contributes to the protection of vulnerable groups, particularly children, who are often targeted by trafficking networks. Article 28 of the law explicitly protects children from all forms of exploitation, including trafficking. It requires authorities to prioritize the rescue, protection, and rehabilitation of trafficked children while ensuring that child victims are not treated as offenders. The law also provides access to specialized support

⁵⁵ Aycock, "Criminalizing the Victim: Ending Prosecution of Human Trafficking Victims."

⁵⁶ Albanese, Broad, and Gadd, "Consent, Coercion, and Fraud in Human Trafficking Relationships."

⁵⁷ Cutbush et al., "The Outcomes for Human Trafficking Instrument."

⁵⁸ Laura Pajón and Dave Walsh, "The Importance of Multi-agency Collaborations during Human Trafficking Criminal Investigations," *Policing and Society* 33, no. 3 (2022): 296-314, <https://doi.org/10.1080/10439463.2022.2106984>.

⁵⁹ Villacampa and Torres, "Human Trafficking for Criminal Exploitation: Effects Suffered by Victims."

services such as healthcare, psychological counseling, and legal assistance for child victims. These provisions align Vietnam's child protection framework with international standards, including the Convention on the Rights of the Child.⁶⁰

Beyond legislative provisions, Vietnam has also developed institutional mechanisms to implement these laws.⁶¹ Local governments and social service agencies play an important role in supporting trafficking victims by providing shelters, healthcare services, counseling, and vocational training programs. These measures aim to facilitate victims' rehabilitation and reintegration into society while reducing the risk of re-trafficking.

Furthermore, Vietnam actively participates in international cooperation mechanisms to combat human trafficking. As a signatory to the Palermo Protocol and a member of the ASEAN Convention against Trafficking in Persons, Vietnam collaborates with neighboring countries to strengthen cross-border prevention, victim protection, and law enforcement cooperation.⁶² The country has also worked with international organizations, such as the United Nations and the International Organization for Migration, to improve victim support systems and strengthen institutional capacity in anti-trafficking efforts.

Through these legal and institutional developments, Vietnam has established a relatively comprehensive framework for combating human trafficking and protecting victims.⁶³ These efforts demonstrate the government's commitment to aligning domestic legislation with international anti-trafficking standards and enhancing the protection of vulnerable populations.

Gaps and Challenges in the Legal Frameworks for Protecting Victims of Human Trafficking in Vietnam

Despite significant legal progress, several gaps and challenges remain in the implementation of Vietnam's legal framework for protecting victims of human trafficking. While laws such as Law No. 66/2011/QH12 and the 2015 Criminal Code provide a solid legal foundation, their effectiveness is often limited by institutional, social, and resource-related constraints. One major challenge is the uneven implementation of legal provisions across the country's regions. Urban areas generally have better-trained personnel, stronger institutional capacity, and greater access to resources for enforcing anti-trafficking laws. In contrast, rural and remote areas often lack the infrastructure, specialized training, and personnel required to identify victims and investigate trafficking crimes effectively. This

⁶⁰ United Nations Human Rights Instruments, "Convention on the Rights of the Child, Adopted and Opened for Signature, Ratification and Accession by General Assembly, Resolution 44/25 of 20 November 1989, Entry into Force 2 September 1990, in Accordance with Article 49," <https://www.ohchr.org/sites/default/files/crc.pdf>.

⁶¹ Bryant and Landman, "Combatting Human Trafficking since Palermo: What Do We Know about What Works?"

⁶² Albanese, Broad, and Gadd, "Consent, Coercion, and Fraud in Human Trafficking Relationships."

⁶³ Zhang, "Progress and Challenges in Human Trafficking Research: Two Decades after the Palermo Protocol."

imbalance weakens the overall effectiveness of the legal framework and allows traffickers to exploit institutional gaps in less developed regions.

Another significant challenge relates to the identification and protection of victims.⁶⁴ Although existing legislation establishes procedures for victim identification, many trafficking cases remain undetected. Victims frequently hesitate to report their experiences due to fear of retaliation from traffickers, social stigma, or lack of knowledge about their legal rights. In addition, frontline professionals such as police officers, healthcare workers, border officials, and social workers may lack specialized training to recognize trafficking indicators.⁶⁵ As a result, victims may be misidentified or treated as offenders, particularly in situations where they have been coerced into illegal activities during their exploitation.

The accessibility and quality of victim support services also remain limited. While Vietnamese law provides for assistance such as shelter, medical care, psychological counseling, and legal aid, these services are not always available or evenly distributed across the country.⁶⁶ Victim assistance centers, particularly in economically disadvantaged regions, often face shortages of funding, personnel, and professional expertise. These limitations can restrict the ability of victims to obtain long-term rehabilitation support and increase the risk of re-trafficking.

Social and cultural factors further complicate victim protection efforts. In some communities, victims of trafficking may face stigma or victim-blaming attitudes that discourage them from seeking assistance or cooperating with authorities.⁶⁷ This social pressure can lead to secondary victimization and marginalization, making reintegration into society more difficult. Strengthening legal protections alone is therefore insufficient without broader social measures aimed at reducing stigma and promoting victim-centered support mechanisms.

Public awareness also remains a critical issue in trafficking prevention. Many individuals, particularly women and children in vulnerable communities, are not fully aware of the risks associated with irregular migration, domestic work, or overseas employment opportunities.⁶⁸ Limited awareness of trafficking indica-

⁶⁴ Bryant and Landman, "Combating Human Trafficking since Palermo: What Do We Know about What Works?"

⁶⁵ Aycok, "Criminalizing the Victim: Ending Prosecution of Human Trafficking Victims."

⁶⁶ Belachew Gebrewold, Johanna Kostenzer, and Andreas Th. Müller, eds., *Human Trafficking and Exploitation: Lessons from Europe*, 1st ed. (London: Routledge, 2017), <https://doi.org/10.4324/9781315212449>; Kaelyn Tomkins, "Stop Revictimization in the Justice System: Human Trafficking Survivors Are Victims Too," *Seattle Journal for Social Justice* 20, no. 3, Article 12 (2022): 783-824, <https://digitalcommons.law.seattleu.edu/sjsj/vol20/iss3/12>.

⁶⁷ Farrell, Pfeffer, and Bright, "Police Perceptions of Human Trafficking," *supra* note 2; Kari Lerum and Barbara G. Brents, "Sociological Perspectives on Sex Work and Human Trafficking," *Sociological Perspectives* 59, no. 1 (2016): 17-26, <https://doi.org/10.1177/0731121416628550>.

⁶⁸ Farrell and Pfeffer, "Policing Human Trafficking: Cultural Blindness and Organizational Barriers," *supra* note 5; Moore and Goldberg, "Victims, Perpetrators, and the Limits of Human Rights Discourse in post-Palermo Fiction about Sex Trafficking," *supra* note 18.

tors reduces the ability of communities to identify and report trafficking cases. Public education programs, therefore, play an important role in informing communities about trafficking risks, available legal protections, and mechanisms for seeking assistance.⁶⁹

Finally, Vietnam faces continuing challenges related to transnational trafficking networks operating across its borders with neighboring countries such as China, Laos, and Cambodia. Although Vietnam participates in international anti-trafficking agreements and regional cooperation frameworks, effective cross-border coordination remains difficult. Differences in legal systems, limited information sharing, and resource constraints may hinder joint investigations and law enforcement operations aimed at dismantling trafficking networks.⁷⁰

Addressing these challenges requires not only further legal reform but also stronger institutional coordination, improved training for frontline professionals, expanded victim support services, and greater investment in public awareness programs. Strengthening international cooperation and enhancing domestic implementation mechanisms will be essential for improving the protection of trafficking victims in Vietnam.

Some Recommendations for Strengthening Legal Protection for Victims of Human Trafficking in Vietnam

Vietnam has made significant advances in developing a legal framework to combat human trafficking and protect victims, yet serious gaps and challenges remain. A comprehensive approach encompassing laws, policies, training and implementation processes, victim support systems, public awareness initiatives, and regional cooperation to address human trafficking would strengthen legal protection for victims.

The issue of human trafficking in Vietnam is exacerbated by disparities in law enforcement capacity between urban and rural areas. Major cities such as Hanoi and Ho Chi Minh City have better-resourced police forces, while rural areas often lack specialized training, infrastructure, and human resources. Local agencies should be sufficiently trained and resourced to address this challenge, including in victim identification methods, investigative techniques, and victim-centered approaches.⁷¹ Education on the trauma experienced by trafficking victims and on how to interact with them sensitively is crucial. Vietnam should devote

⁶⁹ Farrell, Pfeffer, and Bright, "Police Perceptions of Human Trafficking," *supra* note 2; Danielle Worden, "Sex Trafficking: Towards a Human Rights Paradigm," *The International Journal of Human Rights* 22, no. 5 (2018): 709-732, <https://doi.org/10.1080/13642987.2018.1454906>.

⁷⁰ Davy, "Anti-Human Trafficking Interventions: How Do We Know if They Are Working?" *supra* note 2; Piotrowicz and Sorrentino, "Human Trafficking and the Emergence of the Non-Punishment Principle," *supra* note 21.

⁷¹ Pajón and Dave Walsh, "The Importance of Multi-agency Collaborations during Human Trafficking Criminal Investigations."

additional resources to anti-trafficking law enforcement operations in resource-poor jurisdictions, including by deploying specialist anti-trafficking units.⁷²

Accurate data on the scope and nature of human trafficking is crucial for understanding trends and allocating resources effectively. The Vietnamese government should improve the collection of trafficking-related data, including through administrative data collection, especially in remote areas where trafficking networks are more difficult to detect.⁷³ Developing a national database to track victims, traffickers, and trafficking trends would enable more effective monitoring of trafficking cases. This database should be shared among relevant government agencies, NGOs, and international organizations to facilitate coordination and collaboration.⁷⁴

Although the prosecution of human traffickers is a crucial component of Vietnam's anti-trafficking strategy, the conviction rate for traffickers remains low due to insufficient resources, insufficient training, and inadequate cooperation among prosecutors and law enforcement agencies. Investing in specialized training for prosecutors on trafficking laws and victim-centered prosecution techniques could help them better understand the complexities of trafficking cases and secure convictions against traffickers.

Vietnam faces significant challenges in identifying victims of human trafficking, as many victims are not recognized as such and are instead treated as offenders. Vietnam needs to implement comprehensive victim identification protocols, including training for frontline workers, to enhance its ability to identify and assist victims.⁷⁵ Victims often fear legal consequences, lack awareness of their rights, or fear being re-trafficked. Vietnam has established shelters for trafficking victims, but these are often underfunded and not available in all regions. It is equally important to expand victim support services to ensure victims' recovery and reintegration into society. The government should allocate additional funding for shelters and reintegration programs in areas at high risk of trafficking. Such support may include medical assistance, psychological counseling, legal aid, and vocational training.⁷⁶

⁷² Farrell and Pfeffer, "Policing Human Trafficking: Cultural Blinders and Organizational Barriers."

⁷³ Segrave, "Human Trafficking and Human Rights."

⁷⁴ Council of Europe (GRETA.2024.11), "Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Czech Republic"; Amahazion, "Human Trafficking: The Need for Human Rights and Government Effectiveness in Enforcing Anti-Trafficking"; Aycok, "Criminalizing the Victim: Ending Prosecution of Human Trafficking Victims."

⁷⁵ Islam, "Human Trafficking Law Enforcement Over the Victims and Offenders; Piotrowicz and Sorrentino, "Human Trafficking and the Emergence of the Non-Punishment Principle."

⁷⁶ Bélanger, "Labor Migration and Trafficking among Vietnamese Migrants in Asia."

Existing services are often unable to address all mental health needs, as many victims experience severe psychological trauma that requires specialized treatment programs. The legal framework in Vietnam should also be enhanced to provide additional protection for trafficking victims. Law No. 66/2011/QH12⁷⁷ provides some protections, but many victims still face legal barriers when seeking justice. To address this, Vietnam should adopt stronger legal safeguards, including guarantees of anonymity and security during legal proceedings. During their recovery and reintegration, victims should be provided with legal residency status and work permits, legalizing their presence in the country and allowing them to continue contributing to society while rebuilding their lives.

Public education is essential for preventing human trafficking, helping victims recognize exploitation, and knowing how to report it. Vietnam should launch a nationwide campaign to raise awareness about the dangers of human trafficking and provide information on self-protection. These campaigns should target vulnerable segments of society, such as migrant workers, rural communities, and women, and should provide clear information on how to identify trafficking schemes, whom to report them to, and how to access support services.⁷⁸ Public service announcements, radio programs, social media platforms, and community outreach initiatives should be used to reach a broad audience. Schools should also participate in educational efforts to teach students about trafficking risks and self-protection measures.

To prevent human trafficking in the long term, Vietnam must address root causes such as poverty, lack of education, gender inequality, and limited economic opportunities. Social welfare programs can improve access to education, healthcare, and employment opportunities, while strengthening the social safety net can reduce the pool of vulnerable individuals whom traffickers often target (? prey on).⁷⁹ The private sector also plays an important role in preventing human trafficking, as many victims are exploited in labor-intensive industries. Collaboration with businesses and the promotion of corporate social responsibility initiatives should therefore be encouraged across all sectors.

Human trafficking is a transnational crime that requires effective regional cooperation to combat. Vietnam should strengthen its partnerships with neighboring countries such as China, Laos, and Cambodia to improve cross-border cooperation. This includes enhancing information sharing, conducting joint operations to dismantle trafficking networks, and providing mutual legal assistance in

⁷⁷ Vietnam National Assembly, "Law No. 66/2011/QH12 on Human Trafficking Prevention and Combating."

⁷⁸ Erin O'Brien, "Human Trafficking Heroes and Villains: Representing the Problem in Anti-Trafficking Awareness Campaigns," *Social & Legal Studies* 25, no. 2 (2016): 205-224, <https://doi.org/10.1177/0964663915593410>; Timoshkina, "Human Trafficking: Assumptions, Evidence, Responses."

⁷⁹ Segrave, "Human Trafficking and Human Rights."

prosecuting traffickers.⁸⁰ International organizations such as UNODC⁸¹ and INTERPOL⁸² can provide technical support and expertise to strengthen anti-trafficking efforts. By working with international partners, Vietnam can draw on global resources and place itself in a stronger position to address transnational trafficking. One challenge in cross-border anti-trafficking efforts is the lack of uniformity in legal frameworks and enforcement practices. Nguyen and Do⁸³ claim that Vietnam should work with regional partners to standardize legal frameworks and harmonize laws and procedures related to victim identification, protection, and prosecution across borders.

Conclusion

Human trafficking is widely recognized as a serious problem in developing countries such as Vietnam, which are typically characterized by significant gaps in comprehensive legal frameworks. The complexities of human trafficking, including its transnational networks, inter-sectoral exploitation, and the vulnerability of specific populations, require integrated approaches that provide stronger legal protection and enhanced support mechanisms for victims.

Vietnam has made progress in implementing legislative instruments such as Law No. 66/2011/QH12⁸⁴ and Law No. 100/2015/QH13,⁸⁵ as amended in 2017. However, effective implementation and enforcement remain major challenges, particularly due to the lack of comprehensive, standardized protocols for victim identification. This results in missed opportunities for intervention and protection. Accordingly, all frontline personnel should be trained to facilitate the prompt identification of, and assistance to, victims of trafficking in order to address this concern.

Victim support services in Vietnam remain poorly funded and fragmented, especially in rural and remote areas. Without access to services such as legal assistance, mental health care, vocational training, and other support programs, it becomes difficult for victims to achieve social reintegration and to be encouraged to cooperate safely and lawfully with law enforcement. Therefore,

⁸⁰ Atak and Simeon, "Human Trafficking: Mapping the Legal Boundaries of International Refugee Law and Criminal Justice"; Filip Vojta, "The Capacity of the International Criminal Court to Fight Human Trafficking," *Journal of Human Trafficking* 10, no. 2 (2024): 391-402, <https://doi.org/10.1080/23322705.2024.2303268>.

⁸¹ United Nations Office on Drugs and Crime (UNODC), <https://www.unodc.org>.

⁸² International Criminal Police Organization (INTERPOL), <https://www.interpol.int/en>.

⁸³ Bryant and Landman, "Combatting Human Trafficking since Palermo: What Do We Know about What Works?" *supra* note 2.

⁸⁴ Vietnam National Assembly, "Law No. 66/2011/QH12 on Human Trafficking Prevention and Combating."

⁸⁵ Vietnam National Assembly, "Law No. 100/2015/QH13 of the National Assembly: The Penal Code."

strengthening trafficking prosecutions requires specialized training for law enforcement agencies, dedicated anti-trafficking units, specialized courts, and collaboration with international bodies and neighboring countries.

Additionally, public awareness campaigns can help increase knowledge of the legal framework and inform vulnerable populations, including rural migrants, women, children, and ethnic minorities, about trafficking risks, victims' rights, and reporting procedures. Schools, community centers, and social media platforms can be used to reach a wider audience. Addressing underlying factors such as poverty, gender inequality, lack of education, and limited economic opportunities is also crucial. Vietnam should invest in social welfare programs for vulnerable communities by expanding educational and financial opportunities, thereby reducing the number of individuals susceptible to trafficking and enabling them to make better-informed life choices.

Vietnam's legal protections can be further strengthened through regional and international cooperation. Since human trafficking is a transnational criminal activity, Vietnam should enhance cross-border cooperation with neighboring countries such as Cambodia, Laos, and China to combat trafficking more effectively. This should include improved information sharing, increased joint operations, and mutual legal assistance. International organizations, including the IOM, INTERPOL, and UNODC, can also facilitate technical support and cooperation.

Vietnam's existing international obligations, such as its ratification of the 2000 UN Palermo Protocol and its commitments under the 2015 ASEAN Convention Against Trafficking in Persons, should guide its anti-trafficking strategies. These international frameworks require cooperation with international law enforcement agencies and civil society, and must be implemented at the national level. Such cooperation is also important in addressing the use of cryptocurrencies in illicit activities. Vietnam should also focus on training law enforcement officers, healthcare providers, and social service workers to identify victims promptly and respect their rights.

Comprehensive care, rehabilitation, legal assistance, psychological support, and vocational training depend heavily on expanding victim support services, especially in rural areas. Policies should also be developed to protect victims from public scrutiny and retaliation. It is essential to strengthen anti-trafficking units, provide the necessary resources, and improve prosecution rates in order to uphold the rule of law.

Public awareness and prevention programs should be implemented consistently, particularly for vulnerable groups, including persons with disabilities, children, the elderly, and displaced persons living in rural and marginalized communities.

The protection of trafficking victims and the strengthening of cross-border enforcement will be more effective if Vietnam addresses the root causes of human trafficking, including poverty, gender inequality, and lack of education,

through long-term socio-economic development programs and stronger regional and international cooperation. Collaboration with international organizations can also facilitate the exchange of best practices and support for global anti-trafficking initiatives.

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About the Authors

Assoc. Prof. Dr. **Oanh Thi Cao** is a senior lecturer with more than three decades of service in legal education. Currently serving as Dean of the Faculty of Criminal Law at Hanoi Law University, she has played a leading role in shaping curricula, mentoring early-career scholars, and advancing high standards in teaching and research. Her publications include books and peer-reviewed articles published in Vietnamese and international outlets, reflecting sustained engagement with contemporary debates in criminal law. Dr. Cao teaches core and advanced criminal law subjects and supervises undergraduate and postgraduate research, emphasizing analytical rigor and ethical practice. As dean, she promotes collaboration with legal institutions and encourages evidence-based approaches to policy discussions. Her scholarly interests span criminal law, criminal procedure, and criminal policy. <https://orcid.org/0009-0007-1423-2426>.
E-mail: caothioanh@gmail.com

Assoc. Prof. Dr. **Tuan Van Vu** is a senior instructor at Hanoi Law University with particular expertise in comparative legal linguistics. He brings a wealth of experience in both language studies and the comparative study of legal systems, exploring how language functions in legal contexts across different jurisdictions. His research focuses on the comparative analysis of legal language, legal translation, and the impact of linguistic differences on international law. <https://orcid.org/0000-0002-3066-7338>. *E-mail:* tuanvv@hlu.edu.vn

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