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**THE BILATERAL COOPERATION IN PREVENTING WOMEN TRAFFICKING
ACROSS THE VIETNAM-CHINA BORDER**

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Abstract

Cross-border human trafficking presents a severe human rights violation worldwide and is closely linked to migration, which is frequently theorized in terms of push factors and pull factors. An efficient response to human trafficking needs to fully tackle push factors in the sending country and pull factors in the receiving country. Nonetheless, most academic studies on human trafficking focused solely on either push factors in the country of origin or pull factors in the country of destination. This thesis delves into the contextual push and pull factors of human trafficking across the Vietnam-China border in the sending and receiving countries, focusing on ethnic minority women and girls from Vietnam who constitute a significant proportion of victims in the detected and prosecuted cases.

The border between Vietnam and China poses a complicated scenario for trafficking operations, with varied ethnic populations and diverse levels of law enforcement capabilities. Vietnam serves as a country of origin, while China stands as a country of destination for Vietnamese trafficking victim women. Despite anti-trafficking efforts, both countries face obstacles in combating human trafficking along their shared border. The research draws not only on the stories gathered via interviews with Vietnamese trafficking victims who were rescued from China but also on the experiences of social workers at the Vietnam Women's Union to understand the difficulties faced in implementing the anti-trafficking policy. I have also analyzed secondary data collected from annual government reports, policy documents, newspapers, and academic studies related to human trafficking crimes to cross-check interview data.

This study shed light on push factors in Vietnam and pull factors in China, as well as the connection between these factors, which contribute to the complexity of the operation of women trafficking rings along the Vietnam-China border. Furthermore, the cooperation between the two countries and also the challenges investigators encounter in the cooperative endeavors to fight against trafficking are presented. Eventually, this study aims to evaluate the effectiveness of the bilateral cooperation between Vietnam and China in preventing women trafficking, thereby contributing to a deeper understanding of this persistent issue and informing more robust anti-trafficking strategies in this critical border region.

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List of abbreviations

TIP	Trafficking In Persons
UN	United Nations
MPS	Ministry of Public Security
UNIAP	United Nations Inter-Agency Project on Human Trafficking
NPA	National Plan of Action
VWU	Vietnam Women's Union
NPC	National People's Congress

Chapter 1: Introduction

Human trafficking stands as one of the most egregious violations of human rights in the contemporary world, affecting millions of individuals across every corner of the globe. It is a multifaceted crime that preys on the vulnerabilities of the marginalized in the forms of labor exploitation, sexual exploitation, forced marriage, organ harvesting, and other forms of servitude (Le, 2014). Human trafficking represents a fundamental affront to human dignity and autonomy, stripping individuals of their fundamental rights and subjecting them to conditions akin to "modern-day slavery" (Kempadoo, 2015).

Victims of human trafficking can come from diverse backgrounds and demographics. In recent years, the scourge of human trafficking has emerged as a global concern, especially regarding the trafficking of females, which tends to increase on a global scale despite the substantial progress of the women's rights movement around the world. In this thesis, I will focus on minority women and girls as research objects because in the context I investigate, they are the most vulnerable group and account for a significant number of victims of these crimes. Additionally, I have experienced an internship at the Vietnam Women's Union (VWU) - a sociopolitical organization run by the Communist Party of Vietnam, where I had an opportunity to work closely with local staff and social workers to identify and support Vietnamese female victims who were rescued from China with appropriate services such as healthcare, legal aid, and shelter. This organization also conducts educational campaigns to raise awareness about the risks of human trafficking. With these precious experiences, I choose the topic of women trafficking along the Vietnam-China border for my research to gain a deeper understanding of this longstanding issue in the region.

In the context of Vietnam and China, these two countries have a border stretching over 1,300 kilometers, representing a complex terrain for trafficking activities, characterized by diverse ethnic communities, uneven economic development, and varying levels of law enforcement capacity. Women trafficking from Vietnam to China is a multifaceted issue with economic, sociocultural, and political factors in both the sending and the receiving countries. Vietnam is widely recognized as a country of origin for human trafficking in women and young girls (Vu, 2006). Correspondingly, China is the country of destination for female Vietnamese trafficking victims, who are frequently poor, jobless, have low levels of education, and belong to ethnic minorities (Vu, 2006). According to Le (2000), trafficking in Vietnamese women is a form of social evil that began to grow in the 1990s. It was once a local issue limited to a few provinces,

but it now occurs throughout the country in the form of cross-border and organized trafficking (Hoang, 2008). While cross-border trafficking between Vietnam and China has become more complex and diverse, the majority of detected trafficking involves women exploited in prostitution, forced marriage, or forced labor (MSP, 2023). According to the Trafficking in Persons Report (TIP Report) - the US Department of State reflecting foreign government anti-trafficking endeavors, in 2023, Vietnam is on the Tier 2 Watch List, and China is downgraded to Tier 3—the latter is the lowest of the four categories of situations—because the governments of these two countries did not fully adhere to the minimum international standards for eliminating trafficking. Although Vietnam and China have undertaken a range of anti-trafficking measures and legal provisions, trafficking in persons still presents a complex issue along the border, with a vast number of detected cases and prosecuted traffickers every year.

Arguably, addressing human trafficking would be insufficient and ineffective unless the various factors that contribute to the problem were thoroughly investigated. Although it is evident that push and pull factors are closely related to the movement of trafficking victims between sending and receiving countries, the research in this area is minimal (Wooditch, 2012). All previous studies of human trafficking have frequently focused solely on either push factors in the country of origin or pull factors in the country of destination. The objective of this study is to gain insights into the push factors in Vietnam and pull factors in China, as well as the interconnection between these factors, which creates the contemporary dynamics of women trafficking for the purpose of exploitation in prostitution, forced marriage, and forced labor across the Vietnam-China border. Furthermore, anti-trafficking law enforcement is a crucial response to prevent the sophisticated tactics of traffickers and tackle this persistent problem. Hence, this study investigates the anti-trafficking policies and legal frameworks of Vietnam and China, thereby identifying obstacles that hinder the cooperative endeavors between the two countries. Finally, the main target of my research is to examine the effectiveness of cooperation between Vietnam and China in anti-women trafficking in this critical border region.

As mentioned above, this thesis seeks to answer the following research question: *How effective is the cooperation between Vietnam and China in preventing women trafficking along their shared border?*

In order to analyze this question comprehensively, it is first necessary to find the answers to the following sub-questions:

1. What are the push and pull factors for women trafficking across the Vietnam - China border?
2. How do Vietnam and China cooperate in preventing women trafficking?
3. What challenges hinder the cooperative efforts between Vietnam and China in preventing women trafficking?

The hypothesis of the study posits that although bilateral agreements and collaborative frameworks between Vietnam and China have been implemented, cooperative efforts in preventing women trafficking are still limited and ineffective. In order to achieve the study objectives and clarify the hypothesis, I will use the qualitative method. The primary data is collected from the semi-structured interviews conducted in August 2023 with six Vietnamese trafficking victim women to gain a deeper understanding of their living conditions in Vietnam, as well as their experiences and stories about being trafficked to China. Besides, I conducted online interviews with three social workers of the VWU in January 2024 to examine the difficulties and challenges faced in the process of working with the victims, cooperating with Vietnamese and Chinese authorities, and implementing the anti-trafficking policy. Secondary data, including annual government reports, policy documents, journal articles, newspapers, and academic studies related to human trafficking crimes, are also utilized.

Regarding ethical considerations, all interviewees provided informed consent. Both the returnees from China (i.e., the trafficking victims) and social workers confirmed they were willing to share their experiences and agreed to record the interviews as long as the interviewer guaranteed anonymity for them and only used the interviews for a research project. Furthermore, all interviews were conducted with the permission and consent of the VWU's Social Work Department.

However, this study has some limitations. For the empirical research, I used a qualitative method (interviews), and the number of trafficking victim Vietnamese women chosen for the interviews is small; they do not represent the whole trafficking victim population in this area. Additionally, I have difficulties accessing the statistics, reports, and policies on the side of China because most of the documents are in Chinese and confidential. Hence, data are mostly gathered from previous academic studies in English or Vietnamese.

The thesis unfolds as follows: Chapter 2 presents the overview of the phenomenon of trafficking of Vietnamese women to China and the conceptualization of theories utilized in the study. The push factors in Vietnam and pull factors in China, as well as the trafficking pattern, are presented in Chapter 3. Chapter 4 provides the key policies and legal provisions that Vietnam and China have put in place to prevent the trafficking of women. The challenges in the cooperative endeavor of Vietnam and China are examined in Chapter 5. At the end, the conclusion is presented in Chapter 6.

Chapter 2: Literature review and theoretical framework

2.1. Overview of women trafficking in Vietnam-China border

According to Dang (2006), before the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children (referred to as the UN Trafficking Protocol or Palermo Protocol) was approved in 2000, there was no worldwide agreement on the definition of trafficking. Hence, the Palermo Protocol represents the international consensus on the definition of human trafficking and sets the standard for national legislation to follow (Dang, 2006). As stated by Kempadoo (2015), "human trafficking," "trafficking in persons," or "modern slavery," which are used as umbrella terms, has been recognized as a transnational crime by the United Nations (UN) since the turn of the twenty-first century. It is one of the three global "evils" alongside terrorism and drug trafficking.

Arguably, human trafficking is a severe problem, as indicated by the large number of victims, with an amount of 49,6 million people in "modern slavery" globally in 2021, according to the International Labour Organization report. Although human trafficking can have many forms and levels and may target different people, women and girls are assumed to make up the bulk of trafficking victims (Cho et al., 2013). Accordingly, human trafficking is one of the most pressing issues in several Southeast Asian countries, especially Vietnam and China, and several scholars have taken up this hotspot area as a research topic. According to Vu (2006), Vietnam is generally considered a sending country for the trafficking of women and young girls.

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Total
Cases	507	469	407	429	237	134	126	67	77	90	2543
Victims	982	1,031	1,000	1128	670	490	300	121	149	247	6118

Table 1: Number of human trafficking cases and victims (2013-2022)

(calculated by the author, based on data from the annual Vietnamese Ministry of Public Security reports)

According to Ministry of Public Security (MPS) statistics, there were 2543 cases and 6118 victims of trafficking identified from 2013 to 2022 (see Table 1). The majority of trafficking victims are women and children, most of them are from ethnic minorities (accounting for over 80%), often concentrated in northern rural and mountainous areas of Vietnam, and 90% of the victims were sold to China (MPS, 2023). Most victims are women who were tricked into a situation where they were sold abroad; they were forced to marry as the local people's wives, and sexually exploited and forced labor (MPS, 2023). Although the number of trafficking cases and victims demonstrates a dramatic decrease, many researchers claim that the reported data do not illustrate the whole picture of human trafficking in Vietnam because of a lack of available statistics at both the local and national levels. Supposedly, the actual number of trafficking cases and victims is considerably higher than the officially recognized (Dung et al., 2020). It signs that the reported number of cases in Vietnam is lower than the actual number of cases, that between 2016 and 2021, there were more than 20,000 children and women reported missing, while 18,100 children were adopted, and nearly 280,000 women married to foreigners (U.S Department of State, 2022).

Vietnam and China share a 1,300-kilometer land border, which includes seven Vietnamese bordering provinces and two Chinese provinces. Vietnamese women are trafficked from the Northern regions of Vietnam to certain Chinese provinces, mainly Yunnan and Guangxi, for marriage and, increasingly, prostitution (Dang, 2006). According to the United Nations Inter-Agency Project on Human Trafficking (UNIAP) (2015), while there are several reports from Vietnamese brides that they were treated well, a large number of them are forced to live in conditions akin to slavery, work on farms for long hours under constant surveillance, and be assaulted sexually or harassed by their spouses or relatives of their husbands. Vu (2006) and Dang (2006) estimated that thousands of girls and women migrated to China; some were misled about the true nature of the situation awaiting them after migration, while others moved voluntarily and stayed illegally in China afterward.

According to Vu (2006), China is the primary destination for Vietnamese trafficking victim women who are impoverished, unemployed, have low levels of education, and belong to ethnic minorities. In China, there is a high demand for low-wage labor from neighboring countries, including Vietnam, while many villagers in Vietnam who live near the Chinese border and have a low and unstable income want to go there to work to improve their financial situation (UNIAP, 2015). Due to Vietnam's growth in urbanization and industrialization, as well as a lack of economic possibilities in rural regions, many Vietnamese women are forced to relocate to cities, including China, where they are sold to Chinese men as spouses by both Vietnamese and Chinese brokers (UNIAP, 2015).

Trafficking is a socially complex problem; hence, all potential elements impacting the issue should be investigated consistently and thoroughly in every specific context. By focusing on China as a primary destination, this research provides a comprehensive observation of the push and pull factors that perpetuate the flow of trafficking victim women from Vietnam to China. A multi-disciplinary approach based on cultural, economic, social, and legal disciplines will be deployed to achieve this objective. A large number of previous trafficking studies have focused on estimating the number of trafficking victims and assessing policy and legislative matters in origin and destination countries. However, few studies have examined the obstacles that frontline anti-trafficking law enforcement officers face. Furthermore, Le (2017) pointed out that in order to prevent cross-border human trafficking crimes and protect the victims, transnational cooperation is essential. Therefore, this research will examine the effectiveness of bilateral cooperation between Vietnam and China in preventing this longstanding issue of women trafficking across the border by analyzing policies and legal frameworks implemented in both countries and pointing out challenges in collaborative endeavors.

2.2. Transnationalism, feminism, and liberal institutionalism

This research employs the push and pull factors to elucidate why a large number of detected trafficking cases pertain to the trafficking of women across the Vietnam-China border. However, it is essential to note that the concept of push and pull factors does not preclude the relevance of theoretical frameworks—such as transnationalism, feminism, and liberal institutionalism which contribute valuable dimensions of perspective to enhance the

comprehension of the phenomenon. Accordingly, incorporating these diverse approaches helps further substantiate and refine the push and pull factors.

The literature on transnationalism underscores that many individuals inhabit social spheres spanning or coexisting across multiple nation-states (Lee, 2009). Turner and Kelly (2009) argue that human trafficking, deeply entrenched in various socio-cultural and historical contexts, thrives on the demand for cheap labor and services in an era of transnationalism and globalization. Transnationalism offers a valuable theoretical framework for comprehending the formation and functioning of trafficking networks within diasporic communities (Turner & Kelly, 2009).

Furthermore, feminism provides a valuable theoretical lens for comprehending human trafficking. While the conventional security paradigm concerning human trafficking emphasizes border control, national security, and law enforcement, feminist analyses of human trafficking prioritize the protection of female trafficking victims (Meyers, 2014). The feminist rights-based approach emphasizes the infringement of the human rights of trafficking individuals as well as endeavors to economically and socially empower them, enabling them to defend their inherent rights effectively (Pourmokhtari, 2015).

In addition, liberal institutionalism emphasizes the importance of collective action, cooperation, and establishing rules and norms to manage and regulate international relations (Johnson & Heiss, 2023). Liberal institutionalists state that by creating and strengthening international institutions, states can achieve mutual gains, enhance stability, and foster peaceful resolutions (Johnson & Heiss, 2023). In the context of women trafficking across the Vietnam-China border, liberal institutionalism would focus on how international institutions and cooperation mechanisms such as the UN or regional bodies like the Association of Southeast Asian Nations standardize laws and regulations across borders and improve coordination among law enforcement agencies.

Although transnationalism, feminism, and liberal institutionalism perspectives are not explicitly deployed in this research, elements of these approaches are used to gain a more profound and multi-dimensional understanding of the trafficking of Vietnamese women to China. In the following section, the concept of push and pull factors is reviewed.

2.3. The concept of push factors

The factors for the occurrences of human trafficking are generally divided into the push (supply) and pull (demand) factors. The pair of "push/pull" or "supply/demand" sometimes overlaps or is interchangeably used in academic studies. However, there are slight differences in their focus. While the supply-demand pair underscores the structural and market dynamics that sustain trafficking operations in the global economy (Taylor, 2014), the push-pull factors illuminate the circumstances and motivations that drive or attract victims into trafficking situations (Duong, 2014). This study focuses on what draws women out of their home countries and into other countries through individual experiences; hence, the concept of pull and push factors is mostly utilized.

Push factors deem elements in the country of origin that provide internal migratory pressure on people to leave and expose themselves to trafficking (Wheaton et al., 2010). According to Liang (2018), while numerous factors influence women's decisions to relocate to a foreign country, economic factors such as poverty, a lack of social benefits and unemployment are critical causes that impact a person's desire to migrate. With the corresponding stance, Liang (2018) claimed that trafficking often occur when people move from poorer countries to more prosperous regions.

Aside from economic factors, social factors such as inequality, discrimination, and prejudice serve as drivers for human trafficking (Liang, 2018). According to Liang (2018), within unequal societies, elements such as the sense of filial piety of girls, restricted access to employment for women, elevated rates of unemployment, and prevalence of violence can make girls and women seek better opportunities abroad, potentially leading them into the realm of prostitution. Furthermore, poor education for girls and women in many areas might leave them unaware of the risks of the world around them and vulnerable to traffickers' deception (Fedina, 2015).

According to Shelley (2010), wars, political instability, and environmental and natural disasters result in mass displacement and chaos in the country of origin, reating conditions conducive to human trafficking. Furthermore, military conflicts harm the national economy and residents' livelihoods (Fedina, 2015). As a result, the risks that individuals incur when seeking to flee their terrible conditions give numerous possibilities for traffickers to recruit their victims, particularly women and children, with the phony promise of a better life (Liang, 2018).

In short, the literature review of the push factors theory demonstrates a varied list of factors ranging from economic, social, cultural, and demographic sort to conflicts and natural disasters. Arguably, push factors are constructed in different countries and depend on the context of each specific country. However, human trafficking would not occur if there were no pull factors in the country of destination. Hence, the following section discusses the pull factors.

2.4 .The concept of pull factors

Pull factors are regarded by migrants as opportunities to improve their lives, whereas traffickers see them as a way to make money by trafficking people from their home country (Le, 2014). The main issue is that, while migrants commonly understand why they should leave their homeland, they may never have in-depth knowledge or precise information about the living conditions in the country of destination, providing a breeding ground for traffickers to create the spurious story of successful migration (Liang, 2018).

The primary driving force behind people's decision to migrate to the destination country is the economic opportunities it offers. In countries where the population ages and birth rates decrease, there is a growing reliance on migrant labor to fill the resulting labor shortages in the economy (Duong, 2014). Although well-educated native workers are often not attracted to pursue unskilled or semi-skilled occupations like construction, agriculture, and food processing, a potential demand exists for low-educated immigrant workers willing to undertake such jobs. While illegal migration predominantly signifies a labor scarcity in destination countries, trafficking not only reflects this deficit but also signifies other deficits, such as a shortage of marriageable women, adoptable infants, and transplantable organs (Le, 2014).

Apart from mere economic opportunities, factors such as enhanced opportunities for skill acquisition, education, and improved living conditions in the destination country serve as pull factors for migrants (Duong, 2014). These pull factors also encompass easier and swifter travel options, increased passport accessibility, established migration paths, and ties within ethnic and national communities in the receiving country (Le, 2014). Furthermore, as stated by Shelley (2010), pull factors include the need for sexual services provided by migrants or those who have been trafficked. In countries where the sex industry thrives, the shortage of sex workers is partially addressed by the influx of individuals trafficked from elsewhere.

Lasocik (2010) stated that push and pull factors, in a closely intertwined way, encourage individuals to migrate. These factors are interconnected through sociocultural, economic, and political relationships between countries of origin and destination (Duong, 2014). Based on the aforementioned conceptualization, the following chapter will review the contextual push and pull factors of women trafficking across the Vietnam-China border.

Chapter 3: Push and pull factors of women trafficking across the Vietnam-China border

From this section, I will combine annual government reports, policy documents, journal articles, newspapers, and academic studies related to human trafficking, with the interviews conducted with Vietnamese trafficking victims and social workers of the VWU,¹ who shared their own stories and practical experiences, to gain a comprehensive picture of this crime. Table 2 below presents the list of interviews; the interview templates are provided in the section of appendices.²

Code	Post of interviewees	Place of interviews	Date of interview	Duration (minute)
T.V.1	Trafficking victim	Hanoi, Vietnam	15/08/2023	35
T.V.2	Trafficking victim	Hanoi, Vietnam	15/08/2023	40
T.V.3	Trafficking victim	Hanoi, Vietnam	15/08/2023	45
T.V.4	Trafficking victim	Hanoi, Vietnam	16/08/2023	35
T.V.5	Trafficking victim	Hanoi, Vietnam	16/08/2023	55
T.V.6	Trafficking victim	Hanoi, Vietnam	17/08/2023	40
S.W.1	Social worker, Hanoi	Online Google Meet	05/01/2024	45
S.W.2	Social worker, Hanoi	Online Google Meet	05/01/2024	55
S.W.3	Social worker, Hanoi	Online Google Meet	06/01/2024	50

Table 2: List of interviews

¹ Vietnam Women's Union (VWU) is an organization established and run by the Communist Party of Vietnam with the role of protecting the legitimate and legal rights of women from various backgrounds. More information at VWU's website: <https://vwu.vn/>

² Please see Appendix A ('Interview template for victims') and Appendix B ('Interview template for social workers')

3.1. Push factors in Vietnam

3.1.1. Economic factors

Female trafficking victims were previously living in Vietnam under impoverished or financially disadvantaged conditions. Despite being aware of the risks of being deceived by recruiters, they still choose to migrate, hoping to find a job and escape poverty (T.V.5). In mountainous regions, agricultural activities cannot help them escape from food shortage due to low productivity and the adverse effects of severe droughts and floods (T.V.1). Consequently, some individuals in rural areas feel compelled to migrate for a better life.

The majority of trafficking victims consist of rural women who are unemployed and seek a well-paid job in big cities in Vietnam or abroad. Their primary occupations are linked to agriculture in rural and mountainous regions. Numerous people experience temporary unemployment once the harvesting and planting seasons conclude. As T.V.1 described her job:

"I earned approximately 30,000 VND a day (about US\$1.2), but my job was unstable. It was only available once every four or five days, and I worked only a few days per month. I can make 360,000 dong (about US\$14.5) in some months, but I have no income in other months. How could I not try to go?"

Besides, the workforce is unskilled in rural areas, and these people can only do manual jobs. These women and young girls want to find jobs in urban areas, such as waitresses or dishwashers in eateries, assistants in clothing stores or do manual labor on construction sites (S.W.3). As T.V.2 said:

"I typically work in the rice fields, but when I was offered a job as a clothes seller in Hanoi, I would take it. I expected these jobs would help me cover my living costs and allow me to save a sum to send back to my family in the countryside."

An increasing number of Vietnamese people from rural and mountainous regions are unlawfully attempting to enter China in search of unskilled jobs. Each year, during the peak agricultural harvest season in neighboring Chinese provinces, thousands of migrants from Northern Vietnam travel there for temporary work. Approximately 60% of these temporary laborers from Vietnam are female (Ngu, 2015). As women and young girls in rural areas strive

to seek paid jobs outside their native villages in hopes of bettering their lives at any cost, they become vulnerable to recruitment tricks by traffickers.

3.1.2. Social factors

The bulk of trafficking victims are members of ethnic minorities, rural women, and girls who are poorly educated. About 26% of the victim population is illiterate; 71% have only completed primary or middle school (not more than nine years of education), and only 3% have a high school diploma or above (Ngu, 2015). Limited social awareness due to a low level of education is a vulnerability factor to trafficking. The majority of trafficking victims had never left their hometown until they were trafficked, and many of them do not realize their situation until they are being exploited (T.V.5).

Many women facing family dissolution desire to migrate for a better life elsewhere, but they fall into the trap of trafficking rings (T.W.3). Besides those trafficking victims who are in financial hardship or whose families are breaking up, the shame of premarital pregnancy is the reason that makes them decide to leave. As T.V.4 shared her situation:

“I was pregnant before marriage, and my boyfriend abandoned me, and my parents did not accept our relationship. I felt ashamed, so I wanted to migrate somewhere to give birth to my child and to avoid disgracing my family.”

In addition to trafficking victims residing in rural regions, young urban girls may also be at risk of exploitation; those girls who lack parental supervision frequently engage in online gaming and chatting at internet cafes in urban areas. When they are willing to meet with their online game fellows, it may lead to instances of sexual abuse afterward (T.V.2). With the effort to earn more money to finance their expenses, they become susceptible to the tactics of human traffickers (S.W.2).

Furthermore, a significant number of victims are schoolgirls. As they mature and gain independence from family oversight, they eagerly seek excitement in novel environments, attractive destinations, new relationships, or a student life away from home. Many schoolgirls seek part-time or temporary employment during their summer breaks to taste independence and support themselves financially (S.W.3). However, these endeavors also render them susceptible to the deceitful tactics of traffickers.

3.1.3. Cultural factors

In rural areas, daughters often face a financial burden when the family is impoverished. They must drop out of school and find jobs in urban areas to assist their families and demonstrate their sense of duty. Furthermore, tales of labor migrants achieving success and remitting money to their families motivate numerous impoverished young rural girls to pursue this path to escape poverty, regardless of potential repercussions such as exploitation or abuse by traffickers or spouses. As T.V.5 said:

"I heard many lucky women had a rich life and a happy family after marrying a foreigner. They sent back money to their family to buy cars and build houses. Therefore, I felt jealous and thought this was a great way to escape my poverty."

The traditional misconception that marrying a rich foreign husband is a display of filial piety toward parents influences the mindset of young girls in rural lowland areas. Many parents, with the authority to select their daughter's spouse, deliberately arrange marriages to Chinese men because they believe that their financial struggles will be alleviated if their daughter marries a foreign husband who can send remittances back home. These marriages are typically orchestrated by brokers within a short timeframe, leaving Vietnamese brides often uninformed about their foreign spouses (Lam, 2023). In addition to the scenarios outlined above, women susceptible to trafficking include those who are single, such as divorcees, widows, or individuals who have experienced abuse or abandonment by their spouses. These women typically have limited education, lack proficiency in foreign languages, and possess minimal social awareness, rendering them vulnerable to human trafficking. As T.V.3 explained:

"I was married for two years, but my husband was always drunk and beat me. He did not want to work, so all the financial burdens fell on me. I felt desperate, so I decided to leave my village with the hope of changing my life."

According to the marriage customs in some ethnic minorities, a young woman of marriageable age often follows a man whom she has agreed to marry for several days before the wedding ceremony (T.V.4). The man requests the girl's family to bring her to his home for an introduction to his relatives. The family members of the girl remain unaware of the traffickers' motives until they realize that their daughter is missing (T.V.4).

3.2. Pull factors in China

3.2.1. Economic factors

Due to a vast movement of workers to big cities for high-paid jobs, China faces a shortage of unskilled laborers in low-wage sectors such as agriculture, crop cultivation and harvesting, child toy assembly, construction, and production of garments, shoes, and furniture in towns and rural areas (Nguyet, 2017). Chinese employers prefer hiring Vietnamese migrant workers as they can pay them half the wages of local Chinese workers and perceive them as more hard-working and diligent than local workers (Liang, 2018). By employing illegal Vietnamese migrants, Chinese employers can also circumvent the costs associated with medical care, social security insurance, and other benefits mandated by China's labor laws (Nguyen, 2021). The demand for labor in China and the supply of temporarily unemployed Vietnamese people led to the establishment of labor broker networks between Chinese employers and Vietnamese workers (refer to Figure 1), facilitating the illicit movement of Vietnamese nationals into China (Pomfret, 2015). The majority of illegal Vietnamese migrants in China perform manual labor across various sectors. They endure mistreatment and exploitation, including poor working and living conditions, unpaid or underpaid labor, excessive overtime, the constant threat of arrest due to their illegal migrant status, and physical abuse by employers (Pomfret, 2015).



Figure 1: Migrant workers from Vietnam and other Southeast Asian countries smuggled into China (Pomfret, 2015)

These pull factors attract many unskilled Vietnamese migrants to China each year. Every year, over 8,000 people from Lao Cai province illegally migrate to China for work (An & Trang, 2023). On the Chinese side, one local official said that at least 12,000 illegal Vietnamese migrants arrived in Chongzuo, Guangxi province, in one year (An, 2023). However, China does not have specific regulations to govern international migrant labor (Le, 2017). Illegal Vietnamese workers in China often face deportation back to Vietnam informally, with only a tiny fraction officially returned through border checkpoints. Furthermore, there is no official agreement between the Vietnamese and Chinese governments regarding cross-border employment (Chieu, 2022). Illegal migrant workers are deprived of the rights outlined in both Chinese and Vietnamese labor laws, rendering them vulnerable to trafficking, abuse, and exploitation.

3.2.2. Social factors

Along the Sino-Vietnamese border, there is a substantial sex industry predominantly staffed by Vietnamese women and girls in Chinese towns and cities. The one-child policy in China has resulted in a scarcity of women, prompting Chinese men to seek sexual services in brothels to satisfy their sexual desires (Hoang, 2021). Along the border between Vietnam and China, around 260 establishments, including restaurants, hotels, bars, and massage parlors, recruit thousands of Vietnamese women who would provide sexual services or work as a waitress (Long, 2020).

Although prostitution remains illegal, the border trade zone's management board continues to issue business permits to brothel proprietors, who also pay local taxes (Chieu, 2022). All sex industry establishments and restaurants operate freely and without fear of being prosecuted by the local authorities. These brothels in Chinese borderland areas attract a considerable number of Vietnamese women who willingly go there to engage in sex work (S.W.3).

Furthermore, since the sex business is viewed as a lucrative one, a large number of Vietnamese women establish and operate sex enterprises along China's border trade zones and border towns. Those who offer sexual services at brothels are typically between the ages of 16 and 26, and beyond the age of 26, as they are no longer attractive to clients, they are often replaced by new females (T.V.2).

Part of Chinese society believes that if a businessman has sex with a young virginal female, it will bring "good fortune" to his business; hence, there is a high demand for young virgin girls in China's illegal market (Long, 2020). Accordingly, as T.V.4 revealed:

“Most Vietnamese girls trafficked to China are compelled to visit a medical institution to verify their virginity. If the girl still retains her virginity, the brothel owner would sell it to a customer for a large sum of money. After selling their virginity, the females would be compelled to work as prostitutes at entertainment facilities.”

3.2.3. Demographic factors

According to Shuai and Liu (2020), China is experiencing dual processes: a rapid increase in its aging population, a probable decline in labor market participation due to the decades of low birth rates, and a dwindling supply of migrant workers from rural regions. Besides, according to Zheng (2018), the influx of women migrating from rural to urban areas exacerbates gender imbalances in some rural regions, making it increasingly difficult for unmarried men to find local brides. Furthermore, it is difficult for a rural Chinese man to marry a local girl because the man must pay for an unaffordable engagement present, and the local bride frequently requires a new home and car (Le et al., 2018). Consequently, marrying a Vietnamese woman is more financially feasible than marrying a local bride.

Chinese men who purchase Vietnamese women are frequently poor people with low education residing in rural, mountainous, and isolated regions (Hui & Blanchard, 2014). The funds used to acquire a wife are often borrowed from the Chinese man's relatives within the village (Ling, 2016). In many cases, Vietnamese women are bought as shared spouses for all the brothers who live in rural Chinese households since they cannot afford one wife each (Duong, 2014). Following marriage, the Vietnamese wife typically faces arduous labor on the farm to settle the debts of her husband's family while she is also supposed to bear sons for the family (S.W.3). Given the severe shortage of marriageable women in many rural Chinese regions, Vietnamese women who are pregnant, less attractive, divorced, or not so young but single are also purchased by impoverished Chinese men due to their lower cost (Phong, 2020). In Vietnamese border provinces, local authorities frequently encounter numerous instances of Chinese ethnic minority men unlawfully entering Vietnam in search of a spouse. The trend of Chinese men seeking Vietnamese wives through marriage brokers sharply increases because Vietnamese brides are promoted as being more compliant, industrious, and less materialistic compared to their Chinese counterparts (Wang, 2019). Vietnamese and Chinese have longstanding cross-border ethnic relations, and ethnic groups on both border sides share

common cultural characteristics, customs, traditions due to the wave of immigrants from Southern China to Northwest Vietnam and vice versa since the early 7th century (Nam, 2017). Therefore, marriages in the border provinces often involve Chinese men and Vietnamese women who are actually from the same ethnic minorities, and the majority of these marriages are not officially registered with local authorities (S.W.1).

3.3. The pattern of women trafficking across the Vietnam-China border

There is a tight collusion between the recruiters in Vietnam and the exploiters and brokers in China to establish transnational trafficking networks. The trafficking of Vietnamese women into China typically involves three primary stages: (1) recruitment, (2) transportation and transfer, and (3) reception and exploitation. A diagram of the trafficking of Vietnamese women to China with the interplay between push and pull factors is demonstrated in Figure 2 below.

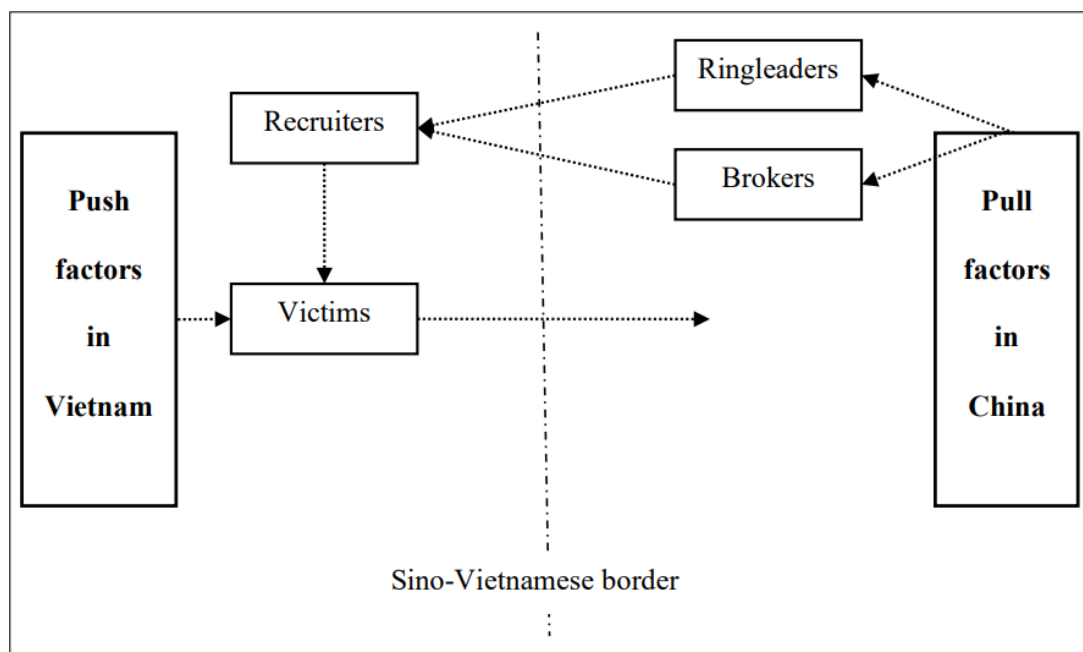


Figure 2. The diagram of women trafficking across the Vietnam-China border

(created by the author)

On the Chinese border side, the ringleaders are exploiters or brokers who control the market for buying and selling women. These ringleaders stay in China, receive trafficking victims from Vietnam, and pay recruiters for their trafficking activities (S.W.2). The trafficking leaders and brokers in China set up various trafficking networks in Vietnam to recruit women and maintain the supply of victims.

Recruiters, mainly Vietnamese nationals, have a close relationship with Chinese buyers. They are often enlisted by trafficking ringleaders or brokers in China while they are engaging in small-scale trade, visiting or seeking job opportunities in Chinese border regions (Zheng, 2018). These recruiters are provided mobile phone numbers to contact brokers or brothel owners in China upon successfully recruiting a victim (S.W.3).

In addition to cases involving collusion between Chinese ringleaders or brokers and Vietnamese recruiters, several people traffic Vietnamese women to China on their own. These traffickers play the roles of recruiter, transporter, and seller, catering to buyers such as brothel owners, brokers, Chinese employers, or men seeking wives (S.W.1).

The recruiters have a low level of education and are mainly unemployed or underemployed. The recruiters primarily aim to profit financially from selling victims (Liang, 2018). Many recruiters have prior criminal records, including trafficking offenses and other cross-border crimes such as illegal trade, gambling, fraud, and involvement in illegal prostitution or drug trafficking (S.W.3).

Furthermore, as S.W.1 stated:

“Human traffickers frequently target individuals experiencing difficult conditions such as financial debt, unemployment, or divorce. They lure these vulnerable individuals with enticing promises, leading the victims to believe that moving to China offers a pathway to a brighter future.”

Many young women are invited for a city visit or shopping excursion and are then forced to move to the border between Vietnam and neighboring countries (Dung et al., 2020). At this juncture, victims may realize that they are trapped, but they are weak and unable to escape due to threats of violence or coercion. In many cases, offenders have a close relationship with their victims, who may even be friends or relatives (Ling, 2016).

Chapter 4: Policy and legal framework to prevent the trafficking of Vietnamese women to China

4.1. Vietnam’s anti-trafficking policy and legal frameworks

Vietnam's endeavors to combat human trafficking are exemplified through the implementation of the National Plan of Action (NPA) on the prevention of Trafficking in Persons. The initial NPA, from 2004 to 2010, was approved in July 2004. This program only focused on trafficking of women and children, particularly for purposes such as prostitution,

child adoption, and marriage, rather than trafficking in men and trafficking for other purposes. The subsequent NPA, from 2011 to 2015, expanded its scope to include men as potential victims and recognized the phenomenon of domestic trafficking within the borders of Vietnam instead of only addressing cross-border trafficking. For the period of 2016-2020, the third NPA maintained the initiatives of its predecessor for 2011-2015. However, the 2016-2020 NPA put more focus on cooperation with neighboring countries such as Cambodia, Laos, and China in investigations, prosecutions, rescue actions, and the identification of trafficking victims. Recently, Vietnam has continued to drastically implement the anti-trafficking endeavors by the adoption of the NPA for 2021 - 2025, with a vision to 2030. This program promotes campaigns to raise people's awareness about human trafficking prevention, prioritizing high-risk groups, especially in remote, border, and ethnic minority areas, and aiming to regularly update the public about the forms and tactics of human trafficking crimes on the Vietnamese Government's social networking sites.

Regarding criminal laws, the initial legal regulation on human trafficking was provided in articles 115 and 119 of Vietnam's Penal Code 1985 (Le, 2017). Nevertheless, this Penal Code only defined the term "Trafficking in Children" and there was no clear definition of the term "Trafficking in Women" (Le, 2017). The Penal Code 1999 superseded the Penal Code 1985 and provided for the express criminalization of trafficking crimes in two main articles, namely "Trafficking in women" (Article 119) and "Trading, fraudulent exchange or children appropriation" (Article 120). However, the terms "trafficking," "trading," "fraudulent exchange," or "appropriating" were not clearly defined in the Penal Code 1999. The 2009 Penal Code includes several amendments; the concept of "trafficking in women" was changed to "trafficking in humans" and the concept of "removal of organs" was added (Dung et al., 2020). Nonetheless, the understanding of trafficking in the Penal Code 2009 is still narrow compared to the Trafficking Protocol 2000 because it primarily addresses trafficking for sexual exploitation and overlooks other types of exploitation, such as forced labor, domestic servitude, or begging (Duong, 2014). The current 2015 Penal Code contains revised provisions on human trafficking crimes, including "Trafficking in persons" (Article 150); "Trafficking in persons aged under 16" (Article 151); "Swapping a person under 01 year of age" (Article 152); "Abduction of a person under 16" (Article 153); and "Trading, appropriation of human tissues or body parts" (Article 154). Although Vietnam's Penal Code has been amended, the country

still employs a narrow definition of human trafficking compared to the UN Trafficking Protocol. While the Palermo Protocol delineates human trafficking based on three key elements, including actions performed by traffickers, the means used to facilitate these actions, and the intended purposes, Vietnam's Penal Code primarily focuses on trade, profit, and illegality (Nguyen, 2019).

In 2011, Vietnam implemented its first specialized legislation targeting human trafficking after the period of the NPA for 2004-2010 (Duong, 2014). The Anti-trafficking Act of 2011 establishes regulations and policies aimed at combating human trafficking, extending coverage to both men and women (while the previous NPA for 2004-2010, as mentioned above, focused solely on trafficking in women and children). Unlike the Criminal Code, the 2011 Anti-trafficking Law has made some adjustments towards aligning with the international definition of trafficking outlined in the Palermo Protocol. This law prohibits acts such as the transfer or receipt of individuals for sexual exploitation, forced labor, organ removal, or "other inhumane purposes", as detailed in Article 3. This law addresses various means of trafficking and expands the scope of exploitation. For example, Article 2 considers sexual exploitation as coercing individuals into prostitution, pornography, or sex slavery, while forced labor entails the use of force or coercion to compel individuals to work against their will. Notably, the term "other inhuman purposes" serves as a broad catch-all phrase intended to encompass a variety of exploitative and degrading practices not explicitly listed in the law; apparently, this phrase is deliberately vague to allow for flexibility in legal interpretation and to ensure that new or unanticipated forms of exploitation can be covered under the law as they emerge. However, the 2011 Anti-trafficking Act does not provide a comprehensive definition of trafficking as outlined in the Trafficking Protocol because while this law defines terms such as sexual exploitation, sexual slavery, forced labor, and trafficking victims, it neglects "the abuse of power or a position of vulnerability" and "debt bondage" as additional means of trafficking, as specified in the Palermo Protocol (Kneebone & Debeljak, 2012).

Cross-border trafficking takes place in both country of origin and destination. The endeavors against the trafficking of Vietnamese women into China depend significantly on the anti-trafficking policies and legal frameworks on both two sides. The subsequent section examines the pivotal policy and legal provisions in China.

4.2. China's anti-trafficking policy and legal frameworks

In response to the growing complexity of human trafficking, in 2007, the Chinese Government promulgated the first China's National Plan of Action for 2008-2012. The plan called for severe measures to prevent criminal activities relating to trafficking in women and children; for assistance and appropriate aftercare to rescued victims, and for safeguarding the legal rights and interests of individuals. Following the completion of the first NPA in 2012, the State Council implemented the second NPA in March 2013, for 2013-2020. This plan aimed to promote long-term strategies to combat human trafficking through prompt aid, rehabilitation, and appropriate housing for trafficking victims. However, during this NPA, data were not made publicly available, and the Chinese Government did not publish any reports on progress and final outcomes, although the plan provided for periodic and final evaluation regarding implementation (U.S. Department of State, 2021). In April 2021, the State Council of China issued the third NPA Against Human Trafficking (for 2021-2030) to actively respond to the severe situation of domestic and international trafficking crimes. This plan highlighted international cooperation through bilateral and multi-lateral mechanisms, especially in the Sub-Mekong region. Accordingly, anti-trafficking collaboration with neighboring countries involves sharing information, executing joint projects, and ensuring efficient border control measures.

Additionally, there were several laws adopted in China, including the initial Criminal Law in 1979, the 1984 Criminal Law, the Regulations in 1987, the 1991 Decision of the National People's Congress (NPC) prohibiting the selling and buying of sex, the 1991 NPC Decision imposing harsh penalties for criminals who are involved in abduction, trafficking, or kidnapping of women and children, the 1992 law protecting the rights and interests of women (known as the Women's Law), the amended Criminal Law of 1997, and the Entertainment Regulations in 1999 (Zheng, 2018). Nonetheless, according to Shuai and Liu (2020), up to now, China's Criminal Law lacks specific provisions on human trafficking and provides inadequate judicial remedies.

According to Ling (2016), Article 240 of China's Criminal Code defines trafficking as abducting or transferring women or children to sell them; however, this article lacks legal specificity, and the definition diverges from the UN Trafficking Protocol. While the Protocol specifies exploitation as a central aspect of trafficking, China's definition revolves around abduction

and sale (Ling, 2016). Furthermore, while Article 240 stipulates that selling a woman or child outside China's borders warrants severe punishment, such as the death penalty, the legal ramifications become less evident when a foreign woman is trafficked into China (Shuai & Liu, 2020). Additionally, Article 241 of China's Criminal Code prohibits the purchase of abducted women or children, mainly when subsequent abuse and exploitation occur, such as forcing victims into sexual intercourse, depriving them of personal freedom, causing them harm or humiliation, or selling them to others (Liang, 2018). According to Zheng (2018), this prohibition against purchasing trafficking individuals is a crucial measure in curtailing human trafficking as it targets the demand for trafficking persons; however, the provision also specifies that a purchaser who is unaware of the victim's trafficking status would not be considered a criminal. Compared to Vietnam's Penal Code, China's legal framework imposes harsher sanctions, including the death penalty, for human trafficking. UNIAP (2015) noted that both countries emphasize law enforcement in addressing cross-border trafficking. However, akin to Vietnam's amended penal code, China lacks a precise definition of human trafficking within its criminal law, although there is a provision on "kidnapping and trafficking in a woman or a child" in Article 240 (Liang, 2018). Additionally, various trafficking-related provisions are scattered across different articles of China's Penal Code, without a dedicated law specifically targeting human trafficking. Consequently, the distinction between human trafficking and other offenses remains ambiguous (Zheng, 2018). Furthermore, Chinese law criminalizes trafficking primarily in women and children, excluding adult male victims from its scope, contrary to the UN Trafficking Protocol. This gender-restrictive approach has drawn criticism for violating principles of equality and human rights, especially considering that earlier versions of China's Criminal Law did not specify gender regarding trafficking offenses (Zheng, 2018).

4.3. Anti-trafficking cooperation between Vietnam and China

In 2001, Vietnam and China signed the Cooperation in Crime Prevention and Combat and the Maintenance of Social Order and Safety agreement on the 27th of June. Accordingly, both nations would focus on crimes of trafficking in women and children. In addition, measures would be taken to combat illegal border crossing and human smuggling (or arranging and guiding people to cross the border) between the two countries. In terms of regional and international efforts to prevent and combat human trafficking, Vietnam, alongside China,

Myanmar, Laos, Thailand, and Cambodia, entered into a Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region in 2004 (UNIAP, 2004). Additionally, in December 2007, China partnered with Cambodia, Laos, Myanmar, Thailand, and Vietnam to sign The Coordinated Mekong Ministerial Initiative against Trafficking, aiming to extend cross-border cooperation further.

On September 15th, 2010, Vietnam and China inked a bilateral accord in Beijing, known as the Agreement on Strengthening Cooperation to Prevent and Combat Trafficking in Persons. This agreement became operational on March 14, 2011, focusing primarily on two pivotal aspects: victims (including identification, protection, support, and repatriation) and joint endeavors in investigating transnational trafficking incidents (encompassing trafficker extradition and information sharing). The agreement also encompasses measures to ensure victims' safety and confidentiality. In terms of victim assistance, both nations pledged to provide victims, particularly children and young people, with temporary shelter, legal aid, medical services, and psychological counseling. With regard to the repatriation process, when victim verification is complete, essential details like identity and age will be shared with the receiving country via diplomatic channels or police liaison officers. Repatriation will occur at border checkpoints, and the promptness of the process must be prioritized. Regarding collaborative efforts in investigating cross-border trafficking cases, both parties commit to extraditing traffickers, organizing joint training sessions for investigative personnel from both countries, and sharing trafficking-related intelligence. Furthermore, both sides aimed to establish a communication mechanism at the border to facilitate enhanced exchange and cooperation in combatting transnational trafficking between Vietnam and China. Annual meetings are held on a rotational basis in the two countries, with provisions for arranging interim meetings in cases of emergency or urgent matters. However, cooperation between the two nations remains constrained due to insufficient legislation to investigate and prosecute traffickers effectively (Duong, 2014).

In September 2015, the Vietnamese and Chinese governments held a meeting to evaluate their bilateral agreement in the fight against human trafficking. At the meeting, the two countries governments focused on addressing challenges related to creating victim identification criteria and cooperation plans in 2016. In April 2017, the ministers of public security of Vietnam and China chaired a conference on human trafficking prevention. At the meeting, participants discussed and agreed to tighten border management, exchange

information promptly and conduct joint investigations to smash major human trafficking rings. In 2018, China set up eight border offices with neighboring countries, including four offices in Vietnam, to suppress trafficking crimes (Diep, 2021). The functional forces of the two countries conducted dozens of regular and hundreds of hotline calls to exchange information about the situation of trafficking crimes, rescuing and returning victims, and border control (Diep, 2021).

The COVID-19 epidemic in late 2019 caused economic harm, affecting the employment and income of people, predominantly middle- and low-income groups, and increasing the risk of women and children being deceived into being sold and illegally taken abroad (Quy, 2021). In 2020, many countries implemented social distancing measures due to the COVID-19 pandemic, and human trafficking crime activities tended to decrease. However, due to high profits, traffickers often changed their tricks to deal with law enforcement forces and formed many transnational lines and gangs with increasingly complex structures and operations (Quy, 2021). In February 2021, the seventh Vietnam-China Ministerial Conference on Crime Prevention and Control took place in Hanoi. Speaking at the conference, the Vietnamese Minister of Public Security stated that with the complex situation during the pandemic, Vietnam and China closely cooperated in controlling human trafficking rings and maintaining public security (Diep, 2021). At the conference, the Ministers of Public Security of the two countries evaluated the results of implementing cooperation agreements, signed and handed over the Conference Minutes, agreeing on solutions to strengthen cooperation between Vietnam and China to ensure internal security in each country and promote the practical effectiveness of cooperation in the fight against crime (Diep, 2021). After two years, the eighth Ministerial Conference on Crime Prevention was held in September 2023 in Beijing. The ministers of public security of the two countries affirmed to continue to deploy peak attacks to suppress human trafficking crime, strictly control border crossing activities, and implement the law enforcement coordination mechanism for promoting contact and supporting verification, identification, rescue of victims and to coordinate investigation and handling of human trafficking crimes (Ha, 2023). At the end of the meeting, the two ministers signed the conference minutes and a Memorandum of Understanding on the prevention and control of transnational crimes (Ha, 2023). Recently, in January 2024, The Minister of Public Security of Vietnam held a meeting with the Deputy Minister of Public Security of China in Hanoi. The summit emphasized the friendly relationship between the two countries regarding public

security, the plan to promote collaboration in the fight against transnational crimes, and the improvement of legal frameworks to jointly build an environment of peace, stability, and development in the region (Cuong, 2024).

In addition to the agreements between the two countries, an external actor is worth mentioning here, namely the United States Department of State and its annual reports on the phenomenon of trafficking in the countries of the world known worldwide as the TIP Reports. According to the 2023 TIP Report, Vietnam is on the Tier 2 Watch List, and China is downgraded to Tier 3—the lowest of the four categories of violators—because the governments of these two countries did not fully adhere to the minimum international standards for eliminating trafficking. Although Vietnam and China have undertaken a range of anti-trafficking measures and legal provisions, trafficking in persons still presents a complex issue along the border, with a vast number of detected cases and prosecuted traffickers every year. The following section examines the challenges hindering collaborative endeavors in preventing human trafficking between two countries.

Chapter 5: Challenges in the cooperative efforts to prevent women trafficking across the Vietnam-China border

5.1. Lack of consistency in law enforcement

Wang (2019) asserts that legislation and the criminal justice system are crucial tools for effectively combating human trafficking. However, the definitions of trafficking in Vietnamese and Chinese criminal codes are still ambiguous, as they primarily focus on trading in humans and kidnapping as opposed to the definition outlined in the Palermo Protocol (Huyen, 2020). On the Vietnam side, human trafficking is only addressed by criminal provisions, considered as acts of buying or selling individuals as commodities (Binh, 2019). While labor trafficking was overlooked or not explicitly addressed in the previous version of the Penal Code, the current 2015 Criminal Code includes forced labor, defining it as the use of violence or coercion to compel an individual to work. However, it is unclear whether forced labor is considered a form of human trafficking or a distinct crime. Unlike the Criminal Code, the 2011 Anti-trafficking Law broadens the conceptually the purposes of exploitation, covering general and sexual exploitation. For instance, Article 2 defines sexual exploitation as the coercion of persons into prostitution, pornography, or sex slavery and the threat of the use of force or other means to coerce persons to work involuntarily. Noticeably, it is not clarified by the 2011 Anti-Trafficking

Law whether it complements or replaces provisions in the Criminal Code and other regulations, which leads to confusion about the relationship between the Criminal Code and the 2011 Anti-Trafficking Law (Le et al., 2018).

On the Chinese side, the existing criminal legislation imposes strict penalties only on kidnappers and sellers, while buyers can escape criminal responsibility. The buyers of wives are not seen as criminals if they do not know that the women they bought have been trafficked or abducted (Wang, 2019). To understand how this can happen, it is an important piece of contextual information that the tradition of paying a “bride price” (i.e., that the bridegroom is expected to pay money or give gifts of significant value to the bride’s family) remains culturally accepted in Chinese society. Moreover, most villagers feel sympathy with unmarried men, so they do not condemn the trafficker, and buyers may even receive support from fellow residents of their village (Jiang et al., 2011).

Although the Chinese government acceded to the Trafficking Protocol in February 2010, the definition of trafficking, as provided by Article 240 of the Chinese Criminal Law, establishes only the crime of trafficking in women and children for purchase and not of exploitation, which does not conform with international standards. Furthermore, the 2023 TIP report criticizes the Chinese government's continued conflation of human smuggling, child abduction, and fraudulent adoption with trafficking offenses, thereby rendering it challenging to assess figures associated with China's anti-trafficking efforts accurately.

As for the cooperation of Vietnam and China, due to the disparity in the legal definition of trafficking between the two sides, there are also differing perspectives on the issue of trafficking. As S.W.1 explained:

"In some cases, Vietnamese authorities request the assistance of Chinese police in apprehending an offender. They either decline or postpone action, justifying their decision by stating that the individual in question has not violated any laws or regulations in China, or disregard the request without providing any explanation."

5.2. Victim identification and victim rescue from China

According to Nguyen (2021), victim verification and victim rescue are pivotal in investigating trafficking cases, forming a solid foundation for official inquiries. Nonetheless, for Vietnamese counter-trafficking personnel, identifying the status of victims and facilitating their rescue

from China presents a substantial challenge. Although Vietnam and China signed an agreement in 2010 on strengthening collaboration in human trafficking prevention, there are no criteria for a person to ascertain an individual as a trafficking victim and no guidelines for the formalities concerning repatriation and victim verification (S.W.1). Furthermore, according to the 2023 TIP Report, the process of identifying victims remained overly cumbersome and intricate, necessitating authorization from various ministries before the victims could undergo formal identification and receive assistance. Many victims were repatriated to Vietnam through unofficial paths without proper information provided to the Vietnamese authorities. As S.W.2 described:

"Many Vietnamese victims, who are trafficked to remote Chinese provinces and detected by local police, are often provided money to catch a bus to return to Vietnam via unofficial border crossings. This practice poses risks to the safety of the victims during their journey back, and the Vietnamese authorities are often uninformed about the incidents."

Many cross-border memoranda of understanding have been signed by the Vietnamese border authorities and Chinese local authorities at the level of provinces. Both sides set up a hotline for urgent situations and appointed a liaison officer in each province to facilitate communication between the two sides of the border (S.W.3). However, the memoranda of understanding at the local level are not legally compulsory documents and are used without specifically prescribed obligations for each side. There are no specific inspection and supervision mechanisms, leading to ineffective and untimely rescue actions and investigations (S.W.3).

When receiving requests for investigation of potential trafficking cases, the Vietnamese police begin verification and rescue processes. However, locating victims in China presents a significant challenge because in many trafficking situations, the victims' family members do not know where the victims are held in China, or the victims themselves have difficulties in finding out the address where they are being held because the majority of trafficking victims are confined, can not read or speak Chinese, and are blocked from accessing communication means (S.W.1). Additionally, traffickers frequently relocate victims as part of their operational and security tactics (S.W.1).

Securing the safety of victims during rescue operations also poses a significant challenge for the rescue team. While encouraging the victim to remain calm and gather information about

their whereabouts, the team must also maintain strict confidentiality in communication with the victim. As S.W.1 explained:

"If the trafficker, pimp, or Chinese spouse finds out any attempt by the victim to flee or seek help, she will be cruelly beaten up, and the trafficker may relocate the victim to a different location or sell her to another buyer."

5.3. Crackdown on trafficking networks

When dealing with the crackdown on trafficking networks, Vietnamese investigators encounter challenges relating to the investigation of trafficking incidents. If the Vietnamese police want to collaborate with Chinese law enforcement in tracking down offenders, they must provide detailed information such as names and addresses of traffickers; however, Vietnamese authorities can only probe incidents occurring within Vietnam, such as recruitment, transport, and border crossings, while they can not verify the identity of the Chinese brokers, ringleaders, and exploiters because the information is beyond Vietnam's jurisdiction. One social worker told:

"The Vietnamese accomplices involved in trafficking often do not know the true names and addresses of Chinese traffickers because those perpetrators frequently use fake names or pseudonyms. Additionally, while trafficking victims know the recruiters in Vietnam, they remain unaware of who the Chinese brokers and buyers are because the recruiters are often relatives, fellow villagers, or acquaintances, whereas traffickers in China are strangers."

Although China and Vietnam have signed an agreement on legal assistance, the process is bureaucratic and complex. The Vietnamese local police must send the criminal incident file to their Chinese counterparts through the People's Supreme Procuracy to obtain further information on foreign traffickers; however, this agreement does not specify a timeframe for the investigation's completion. Consequently, bureaucratic formalities often delay Vietnamese police mandates in trafficking investigations, rendering the process ineffective. Besides, S.W.3 said:

"Some Chinese local police assert that trafficking is solely Vietnam's issue since both the victims and perpetrators are Vietnamese, not Chinese nationals. These factors contribute to the situation where many Chinese

exploiters, owners, and enforcers remain at large, and they still traffic Vietnamese women into China with impunity."

Additionally, the lack of trained personnel, especially at the local level, and the scarcity of financial resources hampers the detection of trafficking networks. Counter-trafficking agencies in border provinces often face excessive workloads as they also work on other types of offenses such as burglary, theft, robbery, and vandalism (S.W.2). Additionally, local anti-trafficking police often endure extensive travels to remote and mountainous regions across the country to collect and verify trafficking-related information while the funding provided for these tasks is insufficient. Moreover, the expenses required to rescue victims in distant Chinese provinces are high and surpass the annual budget allocated for combating trafficking in border provinces (S.W.1).

5.4. Working with trafficking victims

Nguyen (2021) asserts that trafficking victims serve as crucial eyewitnesses in prosecuting traffickers and their cohorts, offering vital insights into the trafficking process, including identifying traffickers, recruitment methods, transportation routes, and exploitative activities. Nonetheless, investigators face numerous challenges when working with trafficking victims. Firstly, victims, particularly those from educated and respected families, often keep their trafficking experiences private due to concerns about tarnishing family reputation (S.W.3). Ethnic minority victims, especially those who are married, feel ashamed if their community discovers they willingly went to China with recruiters seeking a new family life (S.W.2). Ultimately, most victims seek to move forward and rebuild their lives without reliving the trauma of trafficking (S.W.1).

Secondly, in numerous trafficking cases, perpetrators intimidate victims, dissuading them from reporting the traffickers to law enforcement. Police officers often struggle with eliciting accurate information from victims. Although they know the victims are not willing to talk about the incident, they still have to express empathy and encourage them to tell the truth (S.W.3). Besides, the S.W.3 revealed:

"In some trafficking cases, both victims and traffickers belong to an extended family; they are such as uncles, aunts, and nieces. The families of victims often express compassion towards the perpetrators, discourage the victims

from reporting to the police, or petition law enforcement agencies to refrain from prosecuting or to lessen the punishment for the traffickers."

The low level of education and low awareness of trafficking victims are other reasons that impede them from reporting incidents to authorities. Trafficking victims often see their consent to go with the perpetrators as their fault and may not recognize that they were being trafficked (S.W.2). Additionally, some trafficking victims return home after a long time away and cannot remember and give helpful information about the trafficking suspect, such as concerning timeframes, places, and other details of the trafficking acts (Dung et al., 2020). In Vietnam, there are many different dialects and local accents; besides, some groups of people speak their minority language. Hence, many victims from ethnic minority backgrounds do not understand the investigator's questions and can not answer them correctly due to linguistic barriers. Furthermore, the lack of general literacy can also hinder communication, as the following quote demonstrates:

"When I asked a victim about how many kilometers were between her house and the place where she met the traffickers, she said she did not understand the question. That made me feel frustrated." (S.W.1)

Finally, most trafficking returnees who stay at Social Welfare Centers wish for prompt release by local police upon escape or rescue from China (S.W.2). Consequently, police must do their best to obtain victims' statements before their return home. However, local police encounter instances where victims provide false addresses, complicating follow-up procedures as they are unable to locate these trafficking returnees for further legal proceedings (S.W.2).

Chapter 6: Conclusion

As stated in Chapter 1, this study aims to answer the main research question "How effective is the cooperation between Vietnam and China in preventing women trafficking along their shared border?". To analyze this question most comprehensively, it is first necessary to find the answers to the following sub-questions:

1. What are the push and pull factors for women trafficking across the Vietnam - China border?

Push factors in Vietnam include economic factors (unemployment, low income, and poverty), social factors (lack of social awareness, poor education, the shame of premarital pregnancy and family dissolution), and cultural factors (filial duty to support parents, marriage customs of the ethnic minorities, stereotypes of hypergamous marriage with foreigners). Accordingly,

pull factors in China encompass economic factors (the demand for manual and low-skilled labor), social factors (the flourishing sex industry within the Chinese provinces adjacent to Vietnam), and demographic factors (the scarcity of local brides). As stated by Lasocik (2010), these push and pull factors have a close interconnect that encourages people to migrate cross-border and creates a complex scenario of human trafficking in the two countries.

2. How do Vietnam and China cooperate in preventing women trafficking?

On the Vietnamese side, the government implemented NPAs for 2004-2010, 2011-2015, and 2021-2025 with a vision to 2030. Besides, criminal laws were adopted in Vietnam, including Criminal Codes in 1985, 1999, and 2009; the latter amendment was adopted in 2015. Furthermore, the Anti-trafficking Act, including provisions to combat human trafficking, was adopted in 2011. On the Chinese side, several criminal laws were adopted, including the initial Criminal Code in 1979, the 1984 Criminal Code, the Regulations in 1987, the 1991 NPC Decision prohibiting the selling and buying of sex, the 1991 NPC Decision imposing harsh penalties for criminals in abduction, trafficking, or kidnapping of women and children, the 1992 law protecting the rights and interests of women, the amended Criminal Code of 1997, and the Entertainment Regulations in 1999 (Zheng, 2018). Besides, the government also promulgated the NPAs for 2008-2012, 2013-2020, and 2021-2030 in response to the growing complexity of human trafficking.

With regard to bilateral collaboration, in 2001, Vietnam and China signed the Cooperation in Crime Prevention and Combat and the Maintenance of Social Order and Safety agreement. Vietnam, China, Laos, Myanmar, Thailand, and Cambodia, entered into a Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region in 2004. In 2010, Vietnam and China signed a bilateral agreement to strengthen cooperation to prevent and combat trafficking in persons. Besides, the two countries frequently held annual conferences and meetings on crime prevention and control to evaluate the results of implementing agreements, find solutions to ensure internal security in each country, and promote the practical effectiveness of cooperation in the fight against crime between Vietnam and China. Furthermore, the law enforcement personnel between the two countries also cooperate in deploying peak attacks to suppress human trafficking crime, coordinating patrol activities to ensure prompt contact, and support verification, rescuing victims, and handling human trafficking crimes.

3. What challenges hinder the cooperative efforts between Vietnam and China in preventing women trafficking?

Although Vietnam and China have implemented cooperative endeavors to combat the trafficking of women across their shared border, counter-trafficking professionals in both countries still confront dilemmas. Firstly, the definitions of trafficking in Vietnamese and Chinese criminal laws are still ambiguous and differ from those outlined in the Palermo Protocol. Vietnam and China have different legal systems, procedures, and penalties for trafficking offenses, which impede seamless collaboration between law enforcement agencies in prosecuting traffickers and supporting victims.

Second, for Vietnamese counter-trafficking personnel, victim identification and victim rescue from China presents a substantial challenge. Although Vietnam and China signed joint agreements on strengthening collaboration in human trafficking prevention, there are no criteria for a person to be considered as an alleged trafficking victim and there are no guidelines concerning repatriation and victim verification. Furthermore, according to the 2023 TIP Report, the process of identifying victims remained overly cumbersome and intricate, necessitating authorization from various ministries before victims could undergo formal identification and receive assistance. Moreover, due to the lack of information, Vietnamese investigators face difficulties in locating trafficking victims and rescuing them from China.

Third, investigators encounter challenges when dealing with the crackdown on trafficking networks because Vietnamese investigators can only probe incidents occurring within Vietnam, such as recruitment, transport, and border crossings, while they can not verify the identity of the Chinese brokers, ringleaders, and exploiters because the relevant information is beyond Vietnam's jurisdiction. Besides, the lack of trained personnel, especially at the local level, and the lack of adequate financial resources hampers the detection of trafficking networks.

In addition, working with trafficking victims poses a significant challenge during investigations. Victims often keep their trafficking experiences private due to concerns about tarnishing family reputations. Besides, police officers often struggle with eliciting accurate information from victims because they have a fear of retaliation from traffickers. Many victims are discouraged from collaborating with investigators due to their low education and social awareness. Furthermore, some returnees may suffer from posttraumatic-disorder symptoms, they cannot remember and provide exact information related to their trafficking.

According to the 2023 TIP Report, Vietnam is on the Tier 2 Watch List, and China is downgraded to Tier 3—the lowest of the four categories of violators—because the governments of these two countries did not fully adhere to the minimum international standards for eliminating trafficking. Although Vietnam and China have undertaken various anti-trafficking measures and legal provisions, push and pull factors remain in the two countries' societies. The law enforcement personnel, the investigators, and the police officers still encounter significant challenges that hamper the cooperative endeavors between the two countries, and trafficking in persons still presents a complex issue along the border, with a vast number of detected cases and prosecuted traffickers every year and a large number of cases that presumably remain latent; for instance, more than 20,000 children and women reported missing, while 18,100 children were adopted, and nearly 280,000 women married to foreigners (U.S Department of State, 2022) and among these latter two groups, there may be trafficking victims as well. As a result, it can be stated that the bilateral cooperation between Vietnam and China in preventing women trafficking across the border is still limited and ineffective.

Currently, there are complex developments regarding the issue of human trafficking, and this requires the participation of the entire state system to implement decisive measures against these dangerous phenomena. To improve the effectiveness of bilateral cooperation in human trafficking prevention, first and foremost, Vietnam and China need to deal with the push and pull factors because these are the root causes of shaping trafficking rings. Economically, poverty and lack of economic opportunities are significant push factors in Vietnam. Hence, the government needs to focus on job creation, vocational training, and microfinance initiatives in vulnerable communities. In China, ensuring fair wages, safe working conditions, and legal protections for all workers can reduce the prevalence of trafficked and exploited labor force. Socially and culturally, it is necessary to improve educational programs and community outreach to raise public awareness about human trafficking crimes, focusing on disseminating to high-risk people such as poor and low-educated ethnic minority girls and women in remote areas. When planning campaigns, it is necessary to become familiar with the cultural traditions of ethnic groups. By embracing gender equality and providing women with equal access to education, healthcare, and economic opportunities, they are less likely to be coerced or deceived into trafficking.

Moreover, there is a need to review the current legislation, especially the definition of human trafficking in criminal laws, and the legal provisions in the two countries should be harmonized

and made compliant with the definition of the UN Trafficking Protocol. Besides, the detection of trafficking relies heavily on information from victims and their families, while trafficking networks between Vietnam and China gradually become too sophisticated to be detected. Therefore, the police on both sides must exchange intelligence regarding trafficking across the border. Counter-trafficking initiatives should be promoted frequently, along with capacity-building and training sessions for law enforcement officers from both countries. The ministries of public security should proactively implement comprehensive measures by closely monitoring critical trafficking routes and areas and reviewing and compiling statistics on suspected trafficking activities. Additionally, there needs to be close coordination with the local border guard commands and other relevant agencies to patrol, control, and share information on trafficking routes, suspicious locations, and criminal networks involved in trafficking to gather evidence, establish cases, apprehend perpetrators, and rescue victims of trafficking.

In conclusion, human trafficking across the Vietnam-China border is a complex and profoundly entrenched issue with severe human rights implications. This study has shed light on the interconnection between push and pull factors as well as examined the bilateral cooperation between the two countries in combating the complex issue of human trafficking. It is revealed that both the Vietnamese and Chinese governments have implemented efforts to combat trafficking. However, there are still significant gaps and limitations in cooperative measures. It is crucial for stakeholders to collaborate more effectively, enhance victim support services, and strengthen legal frameworks to address this issue comprehensively. Arguably, the phenomenon of trafficking in women is a manifestation of women's inequality in society, highlighting the gender disparities that allow such exploitation to occur. Addressing this issue is crucial to not only combat trafficking but also promote gender equality and empower women at all levels of society. For further research, the situation of other victim groups should also be investigated, including men and boys, and other related crimes such as the removal of bodily organs, labor exploitation, and child trafficking in the form of adoption, which phenomena have recently been detected along the Vietnam-China border, to gain a broader picture of the trafficking rings. International cooperation is also essential in tackling these types of transnational crime. It is crucial that all efforts must focus on prevention, protection, and prosecution measures to ensure a safer life for everyone.

Appendices

Appendix A: Interview template for victims

Code	Date	Start	End	Duration

Tôi là Phạm Thị Ánh Tuyết. Tôi đang nghiên cứu về nạn buôn người ở biên giới Việt – Trung. Mục tiêu của cuộc phỏng vấn là lắng nghe câu chuyện và hiểu những trải nghiệm của bạn với tư cách là một nạn nhân bị buôn bán trở về. Tôi đảm bảo với bạn rằng cuộc phỏng vấn được thực hiện với sự cho phép của Ban Công tác xã hội Hội Liên hiệp Phụ nữ Việt Nam. Ngoài ra, đây là cuộc phỏng vấn ẩn danh và nội dung được giữ bí mật, chỉ nhằm mục đích nghiên cứu.

Trước khi bắt đầu, tôi xin được xác nhận:

1. Bạn có đồng ý tham gia phỏng vấn?
2. Bạn có hiểu khả năng xảy ra đau buồn và khó chịu khi nhớ lại những trải nghiệm bị buôn bán?
3. Bạn có đồng ý cho thu âm?

Câu hỏi

1. Cuộc sống của bạn như thế nào trước khi bạn rời Việt Nam?
2. Cuộc sống của bạn như thế nào khi bạn ở Trung Quốc?
3. Bạn được tuyển dụng hoặc bị ép buộc buôn bán như thế nào?
4. Xin bạn cho biết quá trình trở về của bạn như thế nào?
5. Khi về nước bạn đã nhận được sự hỗ trợ gì?

Kết thúc

Cảm ơn bạn đã tham gia phỏng vấn.
Hãy liên hệ tôi nếu bạn có bất kỳ thắc mắc gì về nghiên cứu này,

I am Pham Thi Anh Tuyen. I am doing research on human trafficking across the Vietnam-China border. The objective of the interview is to listen to your story and understand your experiences as a trafficked returnee. I assure you that the interview will be conducted with consent from the Social Work Department of Vietnam Women's Union. Besides, this is an anonymous interview, and the content is confidential, only used for the research goal.

Before I begin, please allow me to confirm:

1. Do you consent to the interview?
2. Do you understand the potentiality of distress by recalling the trafficking experiences?
3. Do you consent to the sound recording?

Questions

1. How was your life before you left Vietnam?
2. How was your life when you were in China?
3. How were you initially recruited or coerced into trafficking?
4. Can you describe the process of returning to Vietnam?
5. What support did you receive upon returning home?

Conclusion

Thank you for participating in the interview. Please contact me if you have questions about this study.

Appendix B: Interview template for social workers

Code	Date	Start	End	Duration

Tôi tên là Phạm Thị Ánh Tuyết. Tôi đang nghiên cứu về nạn buôn người ở biên giới Việt – Trung. Mục đích của cuộc phỏng vấn là để hiểu những thách thức mà nhân viên thực thi pháp luật phải đối mặt trong việc đấu tranh chống nạn buôn bán người. Tôi đảm bảo với bạn rằng cuộc phỏng vấn được thực hiện ẩn danh và nội dung được giữ bí mật, chỉ nhằm mục đích nghiên cứu. Tôi sẽ ghi âm cuộc phỏng vấn để ghi lại chính xác cuộc thảo luận và đảm bảo không bỏ sót thông tin chi tiết có giá trị nào.

My name is Pham Thi Anh Tuyet. I am doing research on human trafficking across the Vietnam-China border. The purpose of the interview is to understand the challenges law enforcement personnel face in combatting trafficking in persons. I assure you that this is an anonymous interview, and the content is confidential, only used for the research goal. I will record the interview to accurately document the discussion and ensure no valuable insights are missed.

Trước khi bắt đầu, tôi xin được xác nhận:

1. Bạn có đồng ý phỏng vấn không?
2. Bạn có đồng ý ghi âm không?

Before I begin, please allow me to confirm:

1. Do you consent to the interview?
2. Do you consent to sound recording?

Câu hỏi

1. Bạn có thể mô tả vai trò của mình với tư cách là nhân viên xã hội trong việc công tác ngăn chặn nạn buôn người không?
2. Bạn gặp khó khăn gì khi làm việc với nạn nhân hoặc chính quyền địa phương?
3. Đây là nguyên nhân sâu xa dẫn đến tình trạng buôn bán người phổ biến ở biên giới Việt – Trung?
4. Đây là những lỗ hổng hoặc hạn chế trong hoạt động ứng phó hiện nay với nạn buôn người giữa Việt Nam và Trung Quốc?
5. Các hiệp định song phương hoặc nỗ lực ngoại giao có thể đóng vai trò gì trong việc thúc đẩy hợp tác chặt chẽ hơn giữa Việt Nam và Trung Quốc về vấn đề buôn bán người?

Questions

1. Can you describe your role as a social worker in addressing human trafficking?
2. What difficulties do you encounter when working with victims or local authorities?
3. What are the root factors of the prevalence of trafficking in the Vietnam-China border?
4. What are the gaps or limitations in the current response to human trafficking between Vietnam and China?
5. What role can bilateral agreements or diplomatic efforts play in fostering closer cooperation between Vietnam and China on human trafficking?

Kết thúc

Cảm ơn bạn đã tham gia phỏng vấn.
Hãy liên hệ tôi nếu bạn có bất kỳ thắc mắc gì về nghiên cứu này,

Conclusion

*Thank you for participating in the interview.
Please contact me if you have questions about this study.*

Appendix C: Articles 2 and 3 of the Vietnam's Anti-trafficking Act 2011

Article 2 Interpretation of terms

In this Act, the terms below are construed as follows:

1. Sexual exploitation means forcing a person to sell sex, or to act in the pornographic sector or to be a sexual slave.

2. Sexual slavery means forcing a person controlled by another, to serve the sexual demand of the controller.

3. Forced labor means coercing or forcing a person to work against his or her will.

4. Victim is the person who is infringed upon by an act specified in Clause 1, 2 or 3 of Article 3 of this Act.

Article 3 Prohibited acts

1. Trafficking in human under Articles 119 and 120 of the Penal Code.

2. Transferring or receiving a person (or persons) for sexual exploitation, forced labor or removal of human organs or other inhuman purposes.

3. Recruiting, transporting or harbouring a person (or persons) for sexual exploitation, forced labor, removal of human organs or other inhuman purposes, or for committing acts specified in Clause 1 or 2 of this Article.

4. Coercing others to commit an act specified in Clause 1, 2 or 3 of this Article.

5. Brokering in acts specified in Clause 1, 2 or 3 of this Article.

6. Taking revenge or intimidating victims, witnesses, or victim's relatives.

7. Taking advantage of human trafficking prevention and combat activities to obtain illegal personal profit or to violate legality.

8. Hindering people from reporting the trafficking incident, or handling the prohibited acts specified in this Article.

9. Discriminating the victims.

10. Disclosing confidential information of the victims without their consent or their lawful representatives.

11. Impersonating victims.

12. Violating other regulations of this Act.

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