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**GET IN TO, GET BY, AND GET OUT OF TRAFFICKING:
UNCOVERING THE AGENCY OF RURAL WOMEN IN VIETNAM**

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Abstract

Human trafficking is an alarming issue that has been discussed by many scholars and policy makers from different fields. It has been argued that poverty is one of the root causes of trafficking, making people to take any risks to improve life. The severe exploitation that occurs during trafficking experience has put victims of trafficking in a difficult situation where they are often seen as objects rather than subjects. This thesis was designed to give voice to those who have been in trafficking situation and uncover hidden aspects of it. The ambition of this thesis was thus in line with some scholars who insisted on the importance of putting humanity and agency of poor people into trafficking discourse. By looking at poverty from a broader sense, I discovered that agency is indeed a fundamental issue for trafficking experience. The case of trafficking experience among rural women in Vietnam showed that agency was exercised in many ways, starting from the time they got in to trafficking trap, got by with everyday deprivation, and got out of it. The agency demonstrated the 'power to act' among individuals when experiencing trafficking, which had often been ignored.

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Glossary

CARAM	Coordination of Action Research on AIDS and Mobility
HIV/AIDS	Human Immuno Deficiency Virus/Acquired Immune Deficiency Syndrome
IOM	International Organization for Migration
UNICEF	United Nations Children's Fund
UNODC	United Nations on Drugs and Crime

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Foreword

Around five years ago, one of my colleagues in Jakarta introduced me to such an interesting, but complicated, issue: trafficking. Since then, I have always had a wish at the back of my mind that I will work on this issue again someday. This thesis has indeed made my wish possible to happen. Then, I should start this foreword by thanking my colleague, who is a mentor and a friend, Herbin Siahaan, who introduced trafficking to me, although he might not realize he did so.

I would like to convey my greatest appreciation to Dr. Anne Jerneck, my supervisor, who had continuously guided me with her valuable knowledge and resources since the very beginning of my research until the last day of wrapping up this thesis. I enjoyed her style of “coaching” us in the thesis group, and could not agree more with her that a supervisor is indeed someone who helps us do what we want to do, rather than tells us what to do.

I am grateful to the friendship and kindness of all staffs from the International Organizations for Migration (IOM) in Hanoi for hosting my fieldwork in Vietnam, and to the IOM office in Ho Chi Minh City for facilitating my field trip to An Giang province in such a last minute. Special thanks to Andrew Bruce, David Trees, Ha Tran Ha, Tran Le Oanh, Adrienne Reilly, Jessica Van Der Merwe, Patrick Corcoran, Andrew Billo, and Nguyen Huan Oanh. The time in Vietnam would not be easier without Prof. Dang Nguyen Anh, who gave me inputs for doing academic research on trafficking in Vietnam. I also thank Duong and Thuong, my two brilliant interpreters, who had bridged the communication during the interviews, witnessed my nervousness and put me at ease.

This thesis would not find its structure without the research and contemplation that I did in Lund and Copenhagen. I particularly thank the people at the Nordic Institute for Asian Studies (NIAS), Copenhagen, who listened to my research plan, shared their interest in it, and created a homey and stimulating research environment.

I also could never stop thanking my family and friends, both in Jakarta and in Sweden, who had always helped and comforted me in different ways during my hard times. Thanks for believing that I can do this, and for convincing me constantly that I really can do this.

Lastly, I sincerely thank the ten women whom I met in Bac Giang and Long Xuyen, Vietnam. I dedicate this thesis to them, with high admiration for their strength and braveness in going through challenges of life.

1. Introduction

Human trafficking is a widespread phenomenon that is hard to tackle due to the complexity of the issue. Not only that it involves movement of people from one area to another, but it also implies exploitation. In 2006, The United Nations Office for Drugs and Crime (UNODC) reported that trafficking involves the movement of people from 127 countries who were exploited in 137 countries. The US Department of State Report on Trafficking in Persons (2007) mentioned that human trafficking is a ‘multidimensional threat’ as it deprives people’s human rights and freedom, creates a global health threat through HIV/AIDS, not to mention the criminal aspect embedded in it. The magnitude of the problem lies from individual to global level as it has a traumatic impact for individual victim (through physical or mental abuse, rape, and threat against themselves or family) and also to global human security by undermining health, safety and security of all people (US Department of State 2007: 5).

Human trafficking victims can be subject to sexual exploitation, labor exploitation, or both (US Department of State 2007: 8). It is reported that among human trafficking victims, it is reported globally that the highest identified number of victims are women (77%) – including girls (48%) – who are vulnerable to sexual exploitation. Men (9%) and children (33%) are reported to be trafficked for forced labor in construction or agriculture, while children are prone to be exploited as beggars, sweatshop or sex workers (UNODC 2006; US Department of State 2007). In Asia alone, it is found that adult women constitute the greater number of victims of trafficking¹ and most of them were trapped in sexual exploitation (UNODC, 2006). South East Asia is reported to be a crucial point of trafficking both out of and into the region although there is no agreed estimation on the accurate number of people trafficked in the region (UNIFEM 2003). Vietnam, according to the UNODC report, is one of the main reported regions for

¹ The UNODC Trafficking Database includes 80 sources reporting trafficking in Asia for its published report titled “Trafficking in Persons: Global Patterns report published in 2006”. Among those sources, 60 sources reported the major number of human trafficking victims are adult women. The purpose of trafficking according to these sources are 64 for sexual exploitation and 16 are forced labor (UNODC: 2006).

trafficking case. According to the US Department of State Report (2007) Vietnam is both a sending as well as destination country for sexual and forced labor purposes. People from Vietnam, mainly women, are trafficked for domestic work, forced marriage, sexual or labor exploitation to many countries such as Cambodia, Thailand, China, Hong Kong, Taiwan or even United Kingdom and Czech Republic. On the other hand, men are trafficked to other different countries such as Malaysia or Saudi Arabia for forced and bonded labor in factory or construction works (US Department of State 2007: 208).

There are many causes of trafficking and thereof poverty, lack of employment, education and awareness are among the main causes (Orhant 2006; Getu, 2006). In Vietnam, many people who are trafficked – especially women – originally come from rural areas where poverty is experienced more severely than in urban areas (Derks 1998; Beesey 2002). The economic reform in Vietnam – known as Doi Moi – starting in the late 1980s has opened up the country for the global market. In some ways, it has benefited national economic development as well as many people in the country, but in other ways, inequality still occurs between the rich and the poor and between urban and rural areas (Derks 1998: 8). The declining role of agriculture in rural economy also has pressured many families to try to find a strategy to improve their economic situation by sending family member(s) to earn money elsewhere, and beyond agriculture (Rigg 1997: 169). Particularly, rural women are severely affected by poverty and when they search for work out of rural areas they mostly get involved in simple, non-skilled and low wage work in the cities (Tran and Le 2000: 99-101). The demands from factories, domestic work, and sex industry also continuously push female out-migration from rural areas (Rushing and Watts 2005). It is in this context that women who decide to leave their community are pushed to enter risky situations such as trafficking (Action Aid 2005).

Victims of trafficking in Vietnam can come from any part of the country, but mainly from the Northern or Southern borders of Vietnam (Derks, 1998), although many reports also mention the central part of the country. According to a survey done by the Vietnamese Ministry of Public Security, during year 2005-2006 there were 1200 returnees of trafficking victims and 70 percent of them have been trafficked to China (Vo

2007). Additionally, The Vietnamese Supreme People's Court reported that in 2006, Vietnamese courts tried more than 700 trafficking cases nationwide, with a total of 1,700 victims of which more than 200 involved children (US Department of State 2007). Even so, it is difficult to mention the exact number for trafficking cases mainly because the methods for collecting data in each country is done sporadically by many institutions rather than collectively (Van Liempt 2006: 27).

In fact, as argued by Kempadoo (2005), the recent discourse of trafficking is dominated by today's hegemonic capitalism. The great demand for cheap labor among big industries has made states realize the significance of migration, and in this regard, the movement of people is seen as cross border movement of people, akin to drugs and weapon trafficking. It is in this context that the global governance for anti-trafficking was developed, according to Kempadoo, rather than in the context of combating the root cause of undocumented migration and unemployment caused by globalization and economic reform. Therefore, it is not impossible that the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children Protocol (or known as Trafficking Protocol or Palermo Protocol), together with many national anti-trafficking policies that derive from it, could not tackle the root cause of trafficking (2005: ix-xxvii). Vietnam is no exception in this regard. In this thesis I examine one of the root causes of trafficking – poverty – and explore further how it can get rural people in to a trafficking trap.

In addition to the above argument, it is also noted that although trafficking is much concerned and debated widely, trafficking experiences are still largely invisible (Long 2004). As noted earlier, since particular interests and the agenda of those who define trafficking have become central to trafficking discussion, it has stirred the discussion from structural and underlying causes of exploitation, violence and coercion occurring in trafficking (Long 2004; Kempadoo 2005). Consequently, the actual experiences and perceptions of those individuals who have been trafficked were ignored and remain hidden (Long, 2004: 8). Kempadoo (2005) argues that the existing notion of women as 'trafficking victim' is developed under the hegemonic local patriarchies and globalized

capitalism, which objectify women rather than seeing them as subjects. This notion has turned women into weak agents as if they were passive and helpless, unable to have undertaken any action during trafficking experience. Kempadoo et al (2005) then argues for a new approach which supports that the humanity, agency and rights of the poor should be developed in trafficking discourse, owing to the contemporary feminist approach who believes that women should be seen as agent and victim simultaneously.

Aware of the above argument, I intend to explore trafficking experiences of some rural women in Vietnam from their own perspective. Through this thesis I hope to look at rural women as agents who experience trafficking. I hope this thesis can contribute to fill the gap that lies within trafficking discourse, particularly in relation to the agency of those who have experienced it, which is often overlooked or misrepresented.

1.1 Research Purpose and Research Questions

Given the arguments in the previous section on (1) how poverty, as one of the root cause of trafficking, can get rural women into trafficking and (2) the intention to explore trafficking experiences from the women's own perspectives, this thesis is aimed at giving voice to some rural women who have been trafficked. Central to the discussion in this thesis is the agency of those women, which I will explain later in the next section. Thus, this thesis will closely look at the nexus of poverty and trafficking experience that the women have gone through. The research questions for this thesis are:

1. How does poverty get rural women in Vietnam into trafficking?
2. How is agency exercised during a trafficking experience?

In order to answer the research questions I apply the concept of poverty, trafficking and agency. However, since each concept is wide, I will limit the usage of those concepts as discussed in the next section.

1.2 Scope of the Concepts

The concept of *poverty* in this thesis refers to what Sen (1999) argues as “deprivation of capabilities”. This view guides us to look at poverty beyond material needs towards the process and opportunity of freedom that someone has in order to achieve that needs. The view of this thesis therefore is concentrated on *the deprivations that are intrinsically important (e.g. freedom) rather than the one that is instrumentally significant (e.g. income)* (Sen 1999:87). In addition to this, Kabeer (2001) argues that there is a logical relationship between poverty and disempowerment in the sense that capacity to meet one’s basic need is limited and therefore s/he could not exercise meaningful choice. The denial of one’s ability to make choice is a form of disempowerment against individual (Parpart 2002). Departing from this standpoint, this thesis thereafter views poverty as capability deprivation and disempowerment rather than economic and material needs.

Trafficking is applied in this thesis by using the definition from the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000), or known as UN Trafficking Protocol or Palermo Protocol. Article 3a of the protocol defines Trafficking in Persons as

The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force of other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. The exploitation shall include, at minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs (Davidson and 2006: 13, Samarasinghe 2008: 21).

Although the trafficking definition is still debated by many scholars, which will be discussed in the next chapter, trafficking in persons is argued by Davidson and Andersson (2006: 13) as an “umbrella term to cover a *process* (recruitment, transportation and control) that can be organized in a variety of ways and involves a range of different actions and outcomes”. Thus, the *movement* is the core element, which “brings into focus the spatial dimension in the discourse of trafficking” (Samarasinghe 2008: 33). The

International Organization for Migration (IOM) in Geneva illustrates trafficking as a process which is begun by recruitment in the area of origin, transit and destination during which exploitation occurs anytime towards the person who is considered as ‘victim’ (Samarasinghe 2008). Given this argument, this thesis views trafficking as a process and focuses its attention on the two elements: *movement* and *exploitation* that occur from *area of origin* until the *destination*.

Lastly, the concept of *agency* is deliberately chosen given the argument from Kempadoo et al (2005: ix) that insists humanity and agency of the poor should be considered to trafficking discussion and Lister (2004: 124) that argues “until recently there is limited recognition about the agency – or capacity to act – of the people living in poverty”. Therefore, agency will be central in this thesis.

Agency is loosely used to mean ‘concept of action and strategies’ (Rahman 2005: 183). This term is mainly used among social scientists to describe unconventional, independent or emancipatory practices of individuals who are oppressed or severely constrained. Kabeer (2001) argues that agency is often simply put as ‘decision making’.

Lister (2004) characterizes four aspects of agency that is embedded in people who live in poverty, which are “‘getting by’ or everyday coping of poverty, ‘getting back at’ through everyday resistance, ‘getting out’ of poverty, and ‘getting organized’ to effect change“. These notions of agency according to Lister, will help us explore how people in poverty see themselves and their positions, including their options and future chances. She distinguishes agency from personal and political or citizenship agency, although they are not exclusive. The former is closely linked to individual livelihood in general (‘getting by’ and ‘getting out’) while the latter are linked to see the action to effect wider change (‘getting back at’ and ‘getting organized’).

Although Lister’s model on types of agency refers to material poverty, this thesis will adapt the model to explain personal agency during experiencing poverty in a broader sense – capability deprivation. Besides, I apply the argument from Lister that the

“discussion on agency and poverty derives from the work of Sen. The notion of agency implies capability” (Lister 2004: 128). This means the use of the concepts is coherent.

Therefore, this thesis will investigate trafficking as a process and experience through a broader sense of poverty. It will start by looking at the recruitment process in area of origin (in order to explain how poverty can get rural women into trafficking), to the transit/destination area where they experience exploitation, exercise agency (get by) and escape from trafficking experience (how they get out).

1.3 Method and Selection

In this section, I will discuss mainly the method for doing the research. I will explain the design of the research, the selection of the sample through purposive sampling, the data collection, the interview method that I used for collecting primary sources, the challenges of interview and the criticism towards my sources. I will also mention some issues related to ethical consideration and validity and reliability of the sources.

1.3.1 Design of the research

As stated earlier, the goal of this research is to give voice to a certain group of society – rural women who have experienced trafficking – since their voice have rarely been heard and their representation are often misrepresented (Ragin 1994: 83). In order to uncover aspects that are hidden during trafficking experience, a qualitative approach is the best-suited method selected for this thesis since it emphasizes in-depth and close-empirical study (Ragin 1994). The nature of qualitative method as “*data enhancer*” (Ragin 1994) – rather than “*data condenser*” – is applied in this thesis particularly because this thesis explores the *details* of trafficking experience from *few* rural women in Vietnam rather than to find *generalization* from *many* of them,

1.3.2 Purposive Sampling

Since this thesis studies trafficking from the point of view of those who have the experienced it, therefore an in-depth study is required to describe and theorize around the

process. The process of trafficking is a real experience for the ones who experience it but the ways we define and describe it are based on social construction. Therefore, in order to make a good correspondence between trafficking experience and my research question, I applied purposive sampling to choose my respondents – rural women who have experienced trafficking. Bryman (2004: 333-334) argues that purposive sampling is “essentially strategic entails an attempt to establish a good correspondence between research questions and sampling”

Nonetheless, due to the sensitivity of trafficking issue and the invisibility of trafficked people, the sampling selection of this research is determined by informal consideration, which is normal for qualitative research (Boolsen 2005: 193). My host organization that facilitated my fieldwork in Vietnam, the International Organization for Migration (IOM) based in Hanoi, is involved with some projects concerning trafficking returnees in the North and South Vietnam and they helped me to find some respondents through their contacts.

1.3.3 Data Collection

The data for this thesis consists of primary and secondary data. My fieldwork in Vietnam during September to December 2007 entailed primary data that I collected from my respondents and key informants through interviews. The primary data consists of interviews with ten women who have experienced trafficking and returned to Vietnam (respondents). I interviewed five respondents in Bac Giang, the capital of Bac Giang province (North Vietnam) and another five in Long Xuyen, the capital of An Giang province (South Vietnam). The map below shows the location where I conducted the fieldwork.



Source: <http://www.theinterpretersfriend.com/indj/cty/vietnam.html>

Prior to interviews with respondents, I conducted semi-structured interview with four international organizations working with trafficking in Hanoi (North Vietnam), two international organizations in Ho Chi Minh City (South Vietnam), a local government representative (Women's Union) from Bac Giang province, an academic researcher from the Institute of Sociology in Hanoi, and a local researcher from Coordination of Action Research on AIDS and Mobility (CARAM) in Ho Chi Minh City. They served as my key informants who helped me obtain special knowledge (Boolesen in Mikkelsen 2005: 172) particularly regarding the context and social realities of trafficking in Vietnam, as well as advice on how to conduct interview with women who have been trafficked.

The secondary data was collected through academic literatures on trafficking, reports from various organizations on trafficking, including trafficking in Vietnam, that I gathered from the Lund University Electronic Library Information Navigator (ELIN) as well as from various libraries in Lund University, the Nordic Institute for Asian Studies (NIAS) Copenhagen, Vietnam Development Information Center and IOM office both in Hanoi.

1.3.3.1 Interview and its Challenges

I agree with the argument from Smith (1988) that “researchers must begin with real, concrete people and their actual lives”. This argument is relevant for my study about trafficking experience. Therefore interview method was chosen for this thesis owing to its conversational nature, flexible and fluid, while still have purpose to get information on relevant issue, topic and experiences though close engagement from interviewer and interviewee (Mason 2002 : 255).

The interviews with my respondents covered various issues on the family situation prior to their migration (the size of family, education, source of income, land ownership and household of the family); the details about the process of them being trafficked (the reason of migrating, who facilitated it, the situation in destination area); how they returned (what did they do to escape, who helped them); and their preferences towards

migrating/staying in rural areas as well as towards farming/non-farming activities after trafficking experience. Consequently, the interview served to give deeper understanding and rich insights towards experience, feelings, attitude and aspirations of respondents (May 1997: 109).

Since my respondents are all women, I am aware that a research on women is not easy particularly when done in a patriarchal setting or in a situation where power relation lies (Scheyvens and Leslie 2000). In this context Scheyvens and Leslie (2000) argue that it is hard to make women to take part in meetings, and even if they do, they might be quiet. In addition, it is hard sometimes for women to express themselves in front of outsiders due to low self-esteem (Scheyvens and Leslie 2000). I was aware that this situation might be applicable for research on trafficking. The trauma of being trafficked may create low self-esteem among women who have experienced trafficking, moreover often the social stigma from society contribute to their disclosure. Therefore, I decided to conduct individual interviews (single interviews) with the respondents in order to give them room to talk comfortably about their personal situation and family situations. Through this method, I can get more information from each informant compared from group interview.

However, in reality, I realized that this strategy was not applicable to all interviews. There was a situation where I found that one respondent felt more comfortable to talk together with her friend – rather than individually – since they experienced trafficking together.

From my observation I noticed that each respondent had different personalities and experienced different recognitions from family and society. These had put them in different stages of coping with trauma and the way they responded questions. There were some situations where respondent could hardly respond to my questions, particularly when I asked about their family situation before migrating, how they got into trafficking or how was the situation in the destination. Some of them paused when talking and tried to manage not to cry although some did. I aware that drawing from Oakley (1981) it is

not wrong to not answer questions since interview should be a mutual relationship between researcher and respondents. Nonetheless, in this situation it became clear to me that respondents have more control over this type of interview that eventually means “control over the whole process of research” (Letherby 2003: 83). Moreover, I could not put my “self” as part of them due to lack of common experience (Letherby 2003). Yet, I agree with her that during sensitive interviews the interviewer should put her/himself in the position of ‘obtaining information’ from respondents and be flexible. This will relate to ethical consideration issues too, which I will discuss later on.

I also discovered that during the data collection, location or situation that surrounds the interview affected the interview as well as the data collected. For instance, the interview in Bac Giang was more relaxed and less formal since it was conducted in a living room of one of my key informant’s house (Bac Giang Women’s Union representative). There were only me, the respondent and my interpreter were present during the single interview. Meanwhile in Long Xuyen, the interview was more formal as it was held in the big meeting room with one long table surrounded by many chairs, bottles and glasses. I could understand this arrangement since the Women’s Union in An Giang province facilitated the interview and saw me as a representative from IOM. However, I noticed that this arrangement resulted in situation where my respondents situated themselves as the researched and saw me as another strange person who would ask for their stories. Besides, the presence of a Women’s Union representative during the interview (aside from me, the respondents, and interpreter) to listen and make notes added some more pressure to the interview.

1.3.3.2 Transcribing and Coding

I made notes of the interview and typed it in my computer directly. I discussed the typed notes with my interpreter to allow them know what I understood and anticipate any missing information during the interviews. Afterwards, I coded the interview results under several categories (age, education, income, reason for migrating, how respondents

were trapped into trafficking, how the escape) and summarized in a matrix. The matrix served as a tool to view general trends and anomalies of the research samples.

1.3.4 Criticism of the Sources

After the completion of my fieldwork, I found out two major concerns related to my primary data. *Firstly*, the process of purposive sampling was done in discussion with the relevant Project Officers in my host organization, IOM. I noticed that due to time limitation, the selection of respondents is limited to IOM project sites and network only. For example, I could only obtain the government's permission to access the field and meet my respondents with support letter from IOM. Thus, I could only enter the sites in where IOM has a project. In addition, IOM's main contact in dealing with the trafficked women is the Vietnamese Women's Union² and their work is focused on women and children only. I am aware that the selection of my respondents might be bias in this way, since all my respondents are coincidentally women.

Secondly, my interaction with the respondents was very short since the permission to access the field was a very complicated process. I did not get access to enter the village where my respondents live since my organization argued that my visit would create unnecessary attraction. This means I did not have close contacts with the respondents' daily life (Scheyvens 2003: 155) since my actual interaction with the respondents was only during the interview. I realize this research would reflect some biases argued by Chambers (1983: 11) as rural development tourist, characterized by coming from urban areas; wanting to find something out; and being a short of time.

² The Vietnamese Women's Union is assigned by the government through the National Plan of Action against Crime of Trafficking in Children and Women during 2004-2010 to deal with various activities related to preventing and combating trafficking among women and children in Vietnam. For more details on the role of Vietnamese Women's Union in this matter, see Annex.

1.3.5 Ethical Considerations

For this research, I am aware that my respondents gave their consent to participate in the interview by showing up on the scheduled time and date. It means that their participation was voluntary (Silverman 2001: 271). Even so, I realize that initial consent might not be enough (ibid.) therefore before starting the interview I also explained to them the purpose of my interview and stated to them that I would like to know their experience and they could refuse to answer the questions if they did not want to.

As explained earlier, due to deep trauma, some respondents could not respond to some sensitive questions. When going through these questions, all of us (myself, the interpreter and the respondent) felt the pressure around us and were nervous about each other's reaction as well as how to react towards it. Under this stressful situation, particularly when respondents started to hold their breath or cry, my interpreter and I decided to wait until the respondent was ready to continue talking, or discontinued the question when she was not.

Lastly, in order to maintain confidentiality of my respondents' identity, I will use pseudonyms when mentioning names of my respondents.

1.3.6 Validity and Reliability

Validity is explained by Hammersley (1990: 57) simply as "truth" that is interpreted from the findings as representations of social phenomena. For this thesis purpose, it is acknowledged that all rural women I met in the interview had experienced trafficking, which means the validity of selecting them as respondents is high.

Reliability refers to the degree of consistency of data when observed by different observers in different occasions (Hammersley, 1992: 67). In order to maintain reliability of interview, it is suggested by Silverman (2001: 229) that each respondent understands the questions in the same way and that answers can be coded without uncertainty. Given this concern I hired an interpreter in each city where I did the interviews, and held several

meetings with them before the scheduled interview. I also discussed with them directly or through e-mail about the interview results to reduce any misinterpretation.

However, I am aware that my presence as a foreign researcher who came under facilitation of IOM might create bias in the reliability of answers provided by the respondents. Although I told the respondents that the interviews will be used for my own research, they might have given answers that they thought I wanted to hear given my affiliation with IOM. In addition to that, the presence of a Women's Union representative during my interviews in Long Xuyen might create the same bias as well since the respondent might think they should give answers that she wanted to hear.

1.4 Structure of the Paper

This thesis is structured in a way so the readers can follow a full process of trafficking experience. In the *first* chapter, I introduce the problem of trafficking, research questions, scope of concepts that I will use, as well as methods of research.

In the *second* chapter, I will discuss the theoretical framework for analysis in more detail that consists of poverty, trafficking, agency and few concepts on migration of women and migration network.

Later in the *third* chapter, I will analyze trafficking as a full process – recruitment (get into trafficking), transit/destination (get by with trafficking) and escape (get out from trafficking) using the give theoretical framework. In this chapter I will discuss trafficking experience in two parts. First, I will start with the process of how rural women get into trafficking and afterwards, I will explore those women's experiences in getting by with life after getting in to trafficking. Then, I also look at the process of how they get out from trafficking.

Finally, I will draw a conclusion for this thesis in chapter *four*.

2. Theoretical Framework

This chapter will discuss some concepts that I will use for analysis in more detail although still evolve in the scope that I introduced earlier. First, I will explain about poverty and then move on to rural poverty since the focus of this thesis is rural women. Afterwards, I will discuss trafficking concept by taking into account some approaches commonly used to view it, including the critique against them. I will also discuss migration of women and migration network since they are closely linked to trafficking. Lastly, the concept of agency will be explored.

2.1 Poverty

There are many attempts to analyze poverty but there is always limitation since people measure poverty in different ways, which can mean many different things. One can probably only identify a part of poverty, based on one specific time (Spicker 2000). In analyzing poverty, Sen (1999) emphasizes that the connection among instrumental freedom (political freedom, economic facilities, social opportunities, transparency guarantees, protective security) is not enough to understand the nature and characteristic of poverty (Sen 1999: 92). He argues that the approach to understand poverty should shift from freedom as *means* (or instrument, e.g. income) to *ends* (one's reason to pursue something and the freedom to satisfy that). In this case, poverty is not merely about low income (instrumental unfreedom) but also involves *intrinsic factors* that influence it. Further Sen explores that the capacity to gain income is affected by age, gender, social roles, location, insecurity or violence and therefore deprivation of individual capabilities is closely connected to lowness of income (Sen 1999: 19). On the other hand, income deprivation can be parallel to the inability to convert income to function (poor health can reduce capability to earn income and he/she might need more money or assistance in order to be able to do so). In sum, poverty means deprivation of basic capabilities rather than low income alone thus, relative deprivation like lack of income could lead to absolute deprivation, which is the deprivation of capabilities (Sen 1999: 72-92).

In a simple way, poverty can be considered as the limitation of freedom (Spicker 2000). *First*, poverty limits opportunities, and when people do not have choices, limitation or constraint is likely to lead to coercion. In some cases where poverty does not limit freedom, it certainly still makes people vulnerable as it limits people's choice. *Second*, when people are very poor, they do not have any choice at all, and in this situation, they cannot resist rejection or coercion by other people because of their poverty (Spicker, 2000). Anuerin Bevan as quoted by Spicker (2000) mentioned that it is not the poverty as a material need that matters, but poverty of choice.

In rural areas, people are more prone to poverty since the likelihood to have a choice is limited due to lack of resources and options. Dixon (1990) mentions several characteristics of rural poverty (although limited to material needs) such as lack of land, too large family size, low and irregular income, indebtedness, ill-health, lack of education, weak bargaining position, and isolation due to poor communication. Chambers (1983) explained the reality of rural poverty through five clusters of household disadvantages namely poverty, physical weakness, isolation, vulnerability and powerlessness. Consistent with Sen, Chambers also mentions that each cluster of household disadvantage, including material poverty, *reinforces* each other and the complexity of those disadvantages turn out to be 'deprivation trap' (Chambers, 1983: 109-112). Poverty as a disadvantage cluster can be understood as lack of wealth or assets and lack of food and cash (material needs) while isolation can mean distance in terms of physical space or from information or even larger social inclusion. According to Chambers, material poverty is a fundamental cluster that contributes to physical weakness when there is shortage of food and nutrition or to isolation when a family or individual could not afford transportation to market or school fees. It could also lead to vulnerability particularly when one family lacks assets to overcome contingencies (natural disasters, national economic crisis, accidents, and the like). Powerlessness, on the other hand, can emerge due to lack of wealth (the voice of the poor might not be heard in the society). At the same time other clusters such as isolation (e.g. lack of information or awareness), physical weakness (illness), vulnerability (disasters) and powerlessness can

also contribute to poverty and vice versa. Chambers model of deprivation trap maps out how rural women experience poverty in a broader sense.

Despite the complexity of rural poverty, Chambers (1983) mentions that rural poverty can be explained in the community or individual level. In community level poverty would point to households who are located in remoteness or inadequate resources or both. In the individual level poverty can explain disadvantages that are experienced by women or any who are more disadvantaged than others such as the very young, very old, the disabled or the seriously ill person (Chambers 1983: 108).

2.2 Understanding Trafficking

The definition of trafficking is somehow an achievement to be proud of (Van Liempt in van Der Anker 2006) and perceived as global governance for anti-trafficking (Kempadoo in Kempadoo et al 2005). However, there are some important concerns. *Firstly*, the issue of consent during the movement process is not discussed because the fundamental argument for trafficking is based on all kinds of activities of movement among people that are non-consensual (Samarasinghe 2008). In this case, the definition reflects a patriarchal and structural environment that looks at victims of trafficking as an object rather than subject (Van Liempt 2006; Kempadoo 2005). Thus, the definition views trafficked women as an object who were kidnapped, exploited, and coerced to move without considering its own decision as an agent. Consequently, the patriarchal environment overlooked male as victims of trafficking either. *Secondly*, related to the goals for which one is trafficked – for the purpose of exploitation. It is not clear, for example, what are the scale elements of exploitation – to what degree of exploitation can one be categorized as ‘victim of trafficking’. Van Liempt (2008: 31) argues that it is extremely difficult to have neutral and universal criteria where exploitation can be measured since people experience exploitation differently. This will be explored further in this thesis.

I am aware that the definition of trafficking is still debatable among scientists from various fields who argue that it only reflects policy maker's interests (Kempadoo 2005). Some feminists from the South argue that today's trafficking definition is racial in history since it only focuses on women and children for sexual exploitation. Few decades ago the definition used to refer trafficking to 'white slavery' because according to Kempadoo, there is a conspiracy between feminist, the church and policy makers from the North to save white women from slavery and pointed out that the traffickers are usually gangs and criminals from the South rather than 'white-collar crime' (Kempadoo 2005).

There are also some other approaches to discuss trafficking such as from health, migration and labor approaches (Samarasinghe 2008). The critique against the health approach is addressed by feminist scholars who argue that the perspective of health organizations and scholars towards trafficking is mostly driven by the trafficker's view. For example, they mainly suggest trafficked women or sex workers to maintain healthy life and sexual practices, but the same argument is not delivered towards men or clients (Kempadoo et al, 2005). Therefore, feminist scholars also see this approach as defining women as objects rather than subjects. I will now turn to another approach of trafficking.

2.2.1 Development Approach to Trafficking

I am inclined to put the discussion of migration and labor approach on trafficking in this section since they are hard to separate in times globalization. Various research and work done by many Non Governmental Organizations (NGOs) found that trafficking is evident in various migration process and types of jobs, not only in sex work (Kempadoo 2005). Many decision makers view trafficking as movement of people and labor to support national industry (Kempadoo 2005). According to Long (2004) the global inequality of distribution of wealth among people, access to education, employment, health, social security, militarized conflict, natural disasters, gender biased violence and ethnic conflict are pushing people to move to a more affluent area in their country or abroad. Particularly for rural people, some scholars who employ modernization theory believe that the rational and progressive economic decisions are made in response to reduced land, labor

and capital between where migrant live and the localities into where s/he chooses to migrate. Migration is perceived to be the means to spread risk as well as a survival strategy to get out of poverty (Baker 2006). At the same time, huge industrial corporations with high demand for cheap, unskilled and semi-skilled labors rapidly and pushed people to migrate from their original locales. Many rural people are attracted to move to urban areas due to innovations that take place in urban sector, labor productivity and raise of wages (Fan et al 2005: 3) and for them wage labor is viewed as offering more opportunities than subsistence farming (Brettel and Hollifield 2000). This push and pull factor of migration have lead to undocumented movement and unemployment of people around the world (Kempadoo 2005).

The development approach of female sex trafficking (Samarasinghe 2008) made it clear that trafficking takes place in and due to a structural weaknesses in the economic and political situation above. Nonetheless, this approach highlights the occurrence of traffickers who promise desperate people to find way out of poverty trap with “proverbial pot of gold” (ibid.:27). It also mentions that the Structural Adjustment Policies (SAPs) of the 1980s has pushed governments to cut subsidies in various social sectors and as a result to this, it pushes people in poor households to seek ways to sustain their livelihood (ibid.). Globalization, which accompanies this policy, has opened up spaces for employment for young and less educated people. They are the ideal character of ‘employees’ that traffickers seek to recruit as sex workers or exploitative sweatshop labors (ibid.). Therefore, trafficking is also often seen as the dark side of globalization to say the least.

2.2.2 Migration of Women

Most of the time, trafficking discourse is closely linked to migration since the nature of trafficking is *movement* of people. As explained earlier, globalization has increased migration of people to seek work outside their localities for better opportunity. Women are part of this migration who constitute almost 50 percent of 190 million migrating people in the world (Omelandiuk 2005). Dang (2005) mentioned that the increased

opportunity for women to work and live in urban areas as well as the growing number of female labor migration have reflected a large demand for female workers in labor-intensive manufacturing, commerce and service jobs. At the same time, demands for sex industry in urban areas, perceived as an opportunity to have a higher profit from daughters, have made women vulnerable to migration. The choice of migrating among women, or decision to send daughter to migrate and work, have real gender implication (Rushing and Watts 2005). As a result to the implication, many women who move from their original places choose – or are pushed – to enter particular labor market sector such as leisure and sex industry, domestic service or manufacturing (Kempadoo 2005).

2.2.3 Migration Network

Massey et al (2000) explains the continuation of migration flows once they have started. According to him, network theories postulate that the existence of family, friends, and acquaintances in a receiving country reduces the costs and risks of migration for related people in the sending country. This argument is supported by Winkels and Adger (2002) urging that social network plays an important role for migration in terms of providing information before and during migration as well as giving resettlement, food, and the like in the receiving areas although on the other hand they might also limit migrant's choices (Brettel and Hollifield, 2000).

Trafficking – like migration – requires the existence of network to facilitate the recruitment, transporting, transferring and harboring of the people they recruited. This migration network is actually the one who will benefit from the exploitation. They exercise control over migrants once they are in the movement process and gain profits from the exploitation (Davidson and Anderson 2006: 19).

In recruiting potential trafficked person, the network of trafficker use common tricks such as escaping from poverty, help parents, and the offer to get better lives to recruit people. These reasons create sensible and attractive condition among the rural poor, and therefore they are willing to “sell” their children to traffickers, who are often relatives or someone

known (Getu 2006). Apparently, the traffickers are not only gangster or mafia like many reports have been mentioning. The growth of globalization and demand for cheap labors should also be investigated as ‘white-collar crime’ that supply and demand people for the purpose of capitalist production (Kempadoo 2005).

2.3 Agency

As mentioned in the previous chapter, central to trafficking discourse is the notion of victim. The term ‘victim’ relates to oppression of women, that they cannot make a decision on their own but rather because of patriarchal and male dominance (Kempadoo 2005). However, gender should be viewed as a complex construct that reflects interaction between external social structure and human agency. Therefore, a woman is not merely victim or object, rather she is also a subject who can express forms of resistance, self-determination and agency under certain system of domination such as patriarchy (Kempadoo 2005).

Lister (2004) uses agency to ‘characterize an individual as an autonomous, purposive and creative actor who is capable to make choice’. Even so, as many social theories have mentioned, there is relationship between agency and structure where the latter can be either constraints or opportunities for agency of certain groups, and likewise, agency of a certain group can constitute structure for another group (Lister 2004: 125-126)

In relation to power, agency can be understood as the activity to exercise an individual’s power and be operationalized as decision-making although it can also take the form of bargaining and negotiation, manipulation, subversion (Kabeer 2001). It also has either positive or negative sense when exercised. In a positive sense, it has the meaning of the ‘power to’, which refers to people’s capacity to define their own life-choices and to pursue their own goals, even in the face of opposition from others. In a negative sense, agency means the ‘power over’ which means the capacity of an actor to override the agency of others for instance using violence, coercion and threat (Kabeer in Anon. 2001: 21). In relation to poverty and trafficking experience, this thesis will focus on the positive

sense of power to show what Lister (2004) argues that an individual has the ability to survive during difficult times and needs to have a self-consciousness that s/he is able to measure control, however limited (Lister 2004: 126). This can also mean that an individual has the ‘power to act’.

An important element to be able to exercise agency is the resources (material, human, social) (Kabeer 2001). The material resource can be land, savings, or other materialistic element embedded in an individual. Human resources – or Lister refers to it as personal resource – can be skills and knowledge while social resource can mean relatives, friends and neighbors. Together with these resources, agency can constitute what is Sen argues as capability (Kabeer 2001: 21). She points out that there are two types of choice that individuals are capable to take. First is the choice that is critical for one’s life (first order choice) and the other is choice that does not directly change one’s life (second order choice). *First order* choices are the *strategic* life choices that are critical for people to live the life they want. Marriage, friendship, choice of livelihood, freedom of movement falls under this category. On the other hand, *second order* choices are the *less consequential* ones for life. Kabeer highlights the importance of first order choice by noting that denial one’s strategic life choices means disempowerment against people (Kabeer 2001).

By referring to Kabeer, Lister use the term ‘strategic’ for first order choice and ‘everyday’ for second order choice. Agency of an individual is exercised for these two choices. An individual living with poverty will exercise his/her personal agency to get by with life, allowing everyday choices to be made. The same person also makes, if possible, strategic choices in order to get out of poverty (Lister 2004: 130). As part of political entity, an individual – who is also a citizen – exercise everyday agency by getting (back) at existing situation or take form in resistance or s/he could exercise strategic agency by mobilizing a movement or getting organized. The model for type of agency from Lister (2004) is visualized below, but since this thesis looks at personal agency of trafficked people, I will apply only the left side of the quadrant. The model is introduced in the next page.

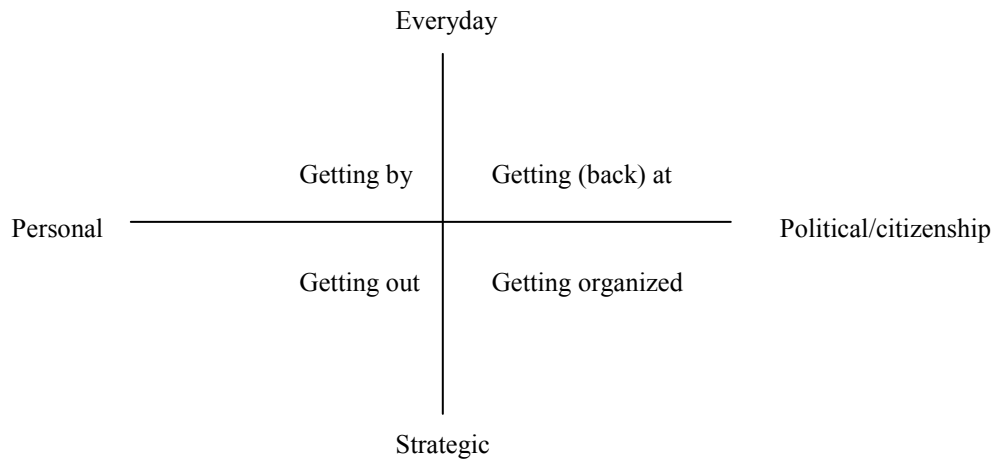


Figure 1. Forms of agency exercised by people in poverty (Source: Lister 2004)

2.3.1 Getting By and Getting Out

According to Lister (2004: 130) *getting by* in poverty seems to be invisible and ‘can too easily be taken for granted and not recognized as an exercise of agency’ although it implies the struggle to keep going. Get by with poverty means a day-to-day basis strategy in coping with stressful situations. The notion of ‘coping’ somehow reflects a building block for welfare. Creativity of a human agency is exercised during this coping process, and mostly seen in poor household who is economically tight but has creativity in planning and utilizing the resources.

There are resources needed in order to be able to cope with deprived situation. Personal, social and material are the unequally distributed resources of people’s differential ability to cope with difficult life. However, Lister also argues that coping strategies is not merely limited to manage material resources. Culture and time also enable people to make sense of their situation and access information in order to escape from poverty. In addition, it may include dealing with ‘othering’ attitudes and treatment, as well as surviving personal trauma (Lister: 2004). In this sense, social resources play an important role, since it can provide either emotional or material support to get by.

In order to *get out* of poverty, Lister argues that education and employment are widely seen as a way to escape from material poverty. Both education and employment can be understood as a “mainstream model of achievement or success” or “making it” (Lister 2004: 145). To get out of poverty also means the exercise of strategic agency as it implies the livelihood of an individual.

However, there is a reciprocal relation between agency and structure in the dynamics of poverty. The getting in to and getting out of poverty are both products of individual action as well as economic and social processes. When personal and other resources are limited and the barriers from structure are high, the likeliness to exercise strategic agency can be weak (Lister 2004). In addition, this gives us a setting for trafficking to occur, as we will now see.

3. Discussion

This chapter will analyze the data that I collected by using the theoretical framework introduced earlier. I will start by explaining the characteristic of my respondents, and continue the discussion with the process of rural women in Vietnam gets into trafficking, how they get by with daily situation, and how they get out. At the last part of this chapter, I will also introduce a finding that might be done for future research.

3.1 Characteristics of Respondents

I will start this section by explaining the characteristic of my respondents. In general, my respondents were women who came originally from rural areas and decided – or pushed – to migrate for economic, independency or health reason. Prior to migration, most respondents were single except for one person. They had formal education at least up to grade 10, except one respondent who did not have any at all. Many of them were unemployed and some already had jobs in non-formal and non-agricultural sector such as in factory, in hair salon, and trade. Their family background vary in terms of size which range from small family members (2 children) to big family members (10 children), as

well as source of income which is farming (rice, fruits, fishing) or non-farming (work in formal sector such as commune office or trade). For respondents whose family incomes were from agriculture, land ownership also varies from none to 10,000-meter square.

All respondents admitted that they started the experience of trafficking after deciding to migrate and leave with lucrative persons who offered them better opportunities outside the village. The age of my respondents, when they were trafficked, ranged between 15 to 43. The age they were in ranged between 17 to 58 years old.

Although trafficking is mostly seen as a cross-border process, this thesis does not merely focus on that. Rather, it focuses on the movement itself be it within the country or abroad, since the core element of trafficking is the exploitation that takes place during the movement. Through the interview, I found that the destination for migration is mostly abroad (China, Cambodia, Malaysia), although there were also some respondents who did not want to do so and chose to migrate to Vietnam-China or Vietnam-Cambodia borders. These respondents argued that by migrating to border areas, they could work relatively close from home without facing any language differences and other necessary difficulties from living abroad.

The purpose of trafficking among the respondents varied from prostitution to forced marriage. Some respondents who ended up working for prostitution were trafficked to China, Cambodia and Malaysia, while some others who were sold for marriage were trafficked to China.

Among the respondents, the process of return to Vietnam varies. Some returned on their own by escaping or negotiating with their husbands. Some other returned with the assistance of other people, neighbors, or were even 'rescued' by the police raid. When I interviewed my respondents, some of them had been back in Vietnam for five years and some others had returned to Vietnam for less than one year. Most of them lived with their

family again but some lived alone or, in one case, with a friend with whom she experienced trafficking.

Finally, I found from the observation during the interviews that trafficking is a very traumatic experience. My respondents gave different reaction when explaining their stories. I noticed that those who have returned for more than five years ago seemed to be able to respond to the interview questions in more detail than the ones who have returned less than one year ago. These women have involved in the reintegration and repatriation projects conducted by Vietnamese government and NGOs for longer time than the other group. It seems to me that it takes some time to recover from trauma, take part in social activities and reintegrate with society.

3.2 How Rural Women Get Into Trafficking

The discussion in this section will be divided into two sequences. The first discussion will demonstrate how the economic structure in Vietnam affects the agency of rural women, and the second discussion will explore how the agency can transform to a trafficking trap.

3.2.1 The Impact of Doi Moi for Rural Women in Vietnam: The Structure that Affects Agency

Vietnam has opened itself for global market since the economic reform in the late 1980s. Currently, after more than a decade of economic development and liberalization, the country has benefited many of its people (Rushing and Watts 2005). Certain changes in land ownership after Doi Moi has led to growing number of private and household economy in Vietnam. This situation reduced state-owned and collective economy, which used to be the major economic system in rural areas (Le 2000: 51). Vietnam, which used to be an agricultural land, is experiencing de-rice-ification, which is a trend that will certainly intensify and moving away rice cultivation from rural people (Rigg 2006). Consequently agriculture, which used to be the central livelihood for rural people in general, has shifted its role too For example, the large percentage of working age laborers

who used to be found in rural areas – 60% of which are women – have decreased due to fast population growth and diminishing agricultural land. Consequently, it has also created lack of employment in rural areas. Working for other people's land is not a rare phenomenon in Vietnam and among those laborers hired, women are found to work at lower wage than men (Tran and Le 2000: 99-101). In this circumstance, poverty has affected rural women more severely than men.

Migration is one of the strategies to spread the risk of declining agriculture in rural areas. It can be a means to accumulate wealth for the haves but obviously for the poor, it serves as a survival strategy (Baker 2006). Due to the changing role of agriculture in Vietnam, sending family member(s) to earn money elsewhere is not a rare situation. Many rural people, including women, are trying to search work out of rural areas, which mostly involved in informal sector (Tran and Le 2000: 99-101).

Since the characteristics of my research sample vary from age, education, location, employment, marital status, household income, head of household, land ownership and so on, it is not possible to make a generalization for their reason for migration, moreover to the cause of trafficking. This thesis found that the strategic choice to migrate among rural people is not merely due to economic reason. Although most of them decide to migrate due to material need (e.g. paying family debt, improve family income, find a better job), some women migrate in order to escape from many forms of deprivation such as violence and pressure in the family pressure (powerlessness), isolation and physical weaknesses. Below are four illustrations of capability deprivations that drive rural women to decide to migrate.

My family consists of seven members: my parents, my older brother, myself as the second, and other five children. My father does fishing in the river and my mother does not work since she needs to take care of my brothers. I worked in a tile factory but they paid me in two to three days after I worked, instead of daily. My mother was really sick and she went to the hospital. I did not know how to pay her treatment (Mai, 17)

We grew rice. I also traded some stuff and my husband worked in construction work. We had 1,800 m² of land. My husband already had a debt when he married me. Since we got married, we had to share the debt. A woman from a village nearby asked me to do trading

in Lang Son, Chinese border. She gave me 20 kilogram of rice to be left for the children (Dao, 45)

My father was too strict and old fashioned. There was a man who wanted to marry me but he did not allow me to do so. I also wanted to be independent from my family and work in a hair salon in the border. Then, there was someone from my village who offered me to work in a hair salon at the border, in Lang Son province (Anh, 28)

I had a disease and I want to cure it. Someone from the village told me that I could cure my disease in China (Hang, 58)

From the illustration above, it is clear that rural women decide to migrate before they are trapped in trafficking – not kidnapped or forced to do so. This decision is made not merely due to material poverty, but also from other deprivations that have trapped them. The deprivation trap can also be understood as capability deprivation – or poverty – as Sen (1999) perceived in the sense that these women do not have their own freedom to live the life they value and make choices based on those values that they perceive. In this circumstance, poverty has pushed them to exercise *agency* and make strategic choice to migrate to other promising situation.

When migration is seen as a household strategy to escape from poverty, the decision to migrate is both a personal and a family decision. In this situation, sometimes the decision reflects power relation in the family, showing that certain family members are stronger – or weaker – than others. This could happen when parents decide who should migrate and find jobs to improve family life. In this case, poverty in household level can lead to powerlessness for its member, as experienced by a girl who had to migrate and find a job abroad as illustrated below:

My father is a builder and my mother is a maid. My family is in debt and my mother pushed me to go to work in Malaysia. At first, I did not want to do it but my mother also went, so I came with her (Kieu, 18).

Based on the five illustrations above, I try to introduce a figure to explain how poverty – as capability deprivation – traps rural people and push them to migrate in order to improve life.

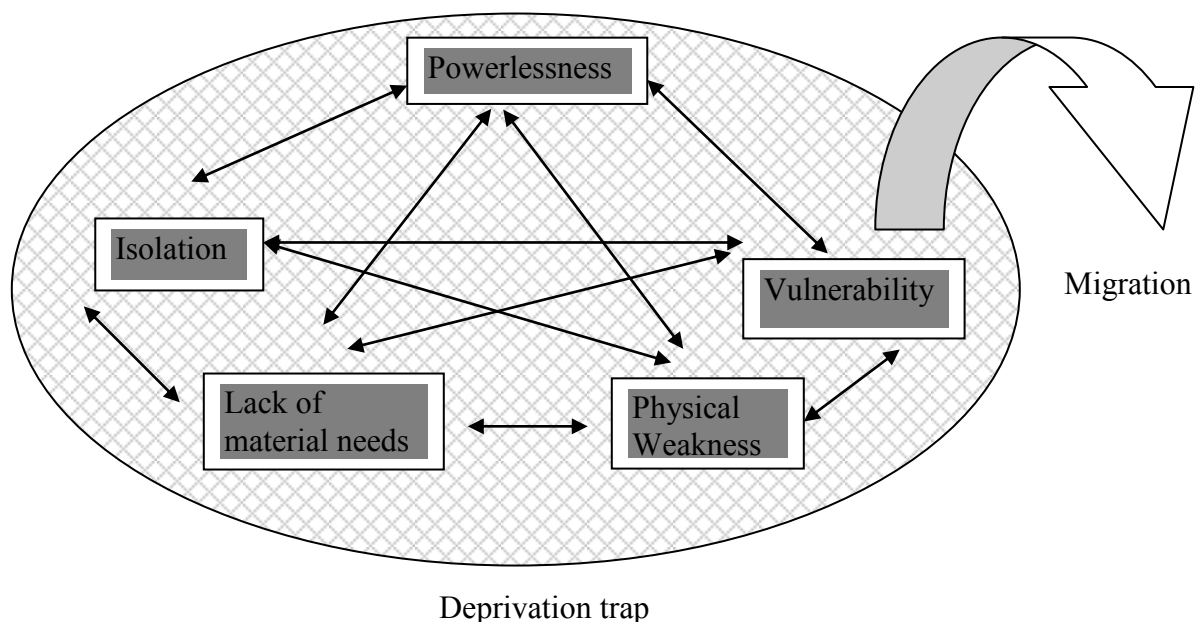


Figure 2. How poverty pushes rural people to migrate (Adapted from Chambers: 1983)

If we look at the above model, it seems that many rural women were driven by a deprivation trap to migrate. Poverty is embedded in this trap where we can find lack of material needs, powerlessness or physical weaknesses. Material poverty alone is not sufficient for migrating although it can be a “breeding ground” for doing so (Le 2000). Most of the women have exercised their agency by deciding to migrate to escape from the deprivation trap.

3.2.2 Agency to Migrate and Trafficking Trap

Agency could take place because there were resources. As explained earlier, personal resources such as material and human resources, and social resources such as network of friends, neighbors or relatives constitute agency of an individual. In migration, social network is an important resource for agency particularly because it can facilitate migration to take place by providing food, shelter or even money for departure as well as finding a better job or health treatment in the new place. Until this stage, migration still seems to be a sensible-strategic decision to improve lives among rural poor women.

Nonetheless, when investigating the agency of rural women who have been trafficked – particularly when they decided to migrate – I look specifically at the resources that constitute their agencies. From the ten women I met, nine people decided to migrate on their own. I found that most of the women’s personal (material and human) resources are indeed weak, particularly when taking into account the deprivation trap explained earlier, which is why they decided to migrate in the first place. Therefore, they took into consideration their social resource (network of friends or relatives) that promised to facilitate their migration, and eventually decided to migrate upon that. This social resource is the sole resource that consistently appears and constitutes the agency of each trafficked women prior to their migration.

Unfortunately, the social resource that these women had was bad and lucrative network who seek profit and benefit from their migration. In this case, the women’s agency that is supposed to be a strategic choice to improve life turns to get them into trafficking.

I discuss this lucrative network in more detail through some illustrations below.

It was my and my family’s decision but I was cheated and trafficked by my cousin.

My cousin offered me to go to China to work in a leather or footwear company. It was easy to earn money there. And since it was my cousin, we completely believe in him (Binh, 28)

I went to work in Ho Chi Minh City and visited Cambodia in 2006 for a short trip to visit my brother. I met Ngoc in Cambodia. One day we went to a zoo and met a Vietnamese man there. We chatted to him and he promised us that if we go to Malaysia we could work in a café or in domestic work. We went few days later after preparing some paperwork and shopped (Phuc, 23)

The social network seems to be convincing and trustable for facilitating migration, especially if they are relatives, neighbors, friends, or a familiar people from the village. In the case of Phuc, this ‘trustable’ network can also be someone from a common background or origin. Both illustrations above show that social network can play a strong role in triggering an individual’s agency since it is known and trustable. Moreover, for migration to take place, social networks can serve as facilitator to provide shelter or job

information. Therefore, someone who is offered an opportunity by its social network may not be aware that they are actually lured. This lucrative social network can thus be considered as a trafficker.

On the other hand, it is part of the trafficker's tricks to initially convince rural women to migrate, and the way they convince potential victim might vary. A trafficker might even provide material support for the women's family who are left in the village so they are convinced and the migration takes place. As illustrated in the case of Dao earlier, "the 20 kilogram of rice" seems to show the trafficker's good intention for her family and at the same time, she was convinced that she could leave the family with enough food when she goes.

From the illustrations above, it can be understood that the traffickers make use of or violate the trust of the social network that they have. They apply lucrative methods to convince and recruit people. During the process of migrating, traffickers abuse the women's decision, exploit their rights and get benefits from them. In this sense, we can say that a trafficker is a bad social network that apply the negative sense of power over rural women in the form of lure, abduction, violence, coercion or other form of exploitation. This kind of social network is the key factor to get rural women into trafficking.

3.3 Getting by and Getting Out of Trafficking: The Exercise of Agency

The previous section has explained how rural women can get into trafficking. Once they get into trafficking, they experience exploitation in many forms. In this section, I will explore the experience of my respondents once they were in the trafficking trap and how they exercised agency in that situation.

As argued by UNIFEM (2003), a trafficked person experiences exploitation during the transferring process, in the destination area, and upon return. As explained in the previous chapter, the form of exploitation can be sexual harassment and violence, lower wages or

even economic exploitation from being unpaid in the work place. Obviously, this exploitation means deprivation for the women. Once they are in a trafficking situation, they no longer have the capability to be free or function as a free person. In this circumstance, it means that the women are poor, living in poverty, and have to get by with this situation.

By adopting the type of agency in poverty from Lister (2004), the analysis in this section looks at poverty and trafficking as a parallel process in which agency is exercised. It should be noted that as Lister argues, the agency to ‘get by’ and to ‘get out’ of poverty is a continuum and evolving process rather than a drastic change, which is also applicable to everyday and strategic decision. Below I illustrate the adaptation of Lister’s (2004) type of agency for trafficking experience.

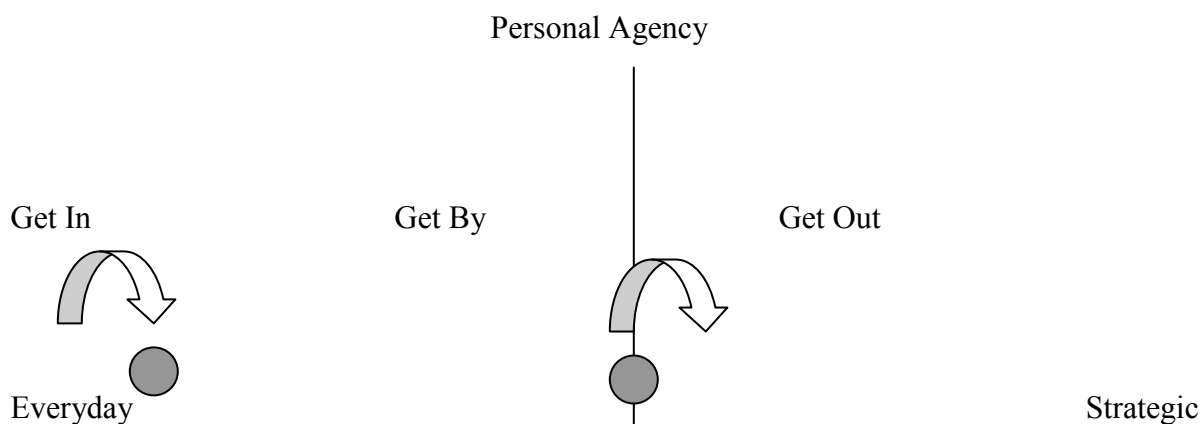


Figure 3 Agency in trafficking experience. Adapted from Lister (2004)

Agency during trafficking experience starts to take place when someone is recruited in the original area. This is how s/he gets in to trafficking. Since then, s/he exercises everyday agency and “get by” with the poor situation. For trafficking experience, the earlier stage of the continuum (or the “get by” side) can represent the location where s/he experiences trafficking (the area of origin, transit of destination).

When someone has exercised his/her strategic agency, s/he can be considered as “making it” and get out of trafficking experience. Thus, their agency is located somewhere in the later stage of the continuum.

3.3.1 Getting By

As explained in the previous chapter, ‘getting by’ means the day-to-day strategy in coping with the situation. The illustrations below show some experiences of trafficked women when they are in transit or destination area.

I was cheated to go to China instead of Lang Son (in Vietnam). I was forced to become a prostitute. I had to obey what the guy said. I lived in the twelfth floor of the building and worked as a prostitute. They treated me cruelly and terribly. I did not have any meals.

My friends and me sometimes had to live on the food given by the customer. I was always in a bad condition and lack of health care. I had a severe disease. Then, I could not work any longer. The brothel owner took me to the hospital but the doctor said it would cost too much money to cure. The brothel owner left me there (Anh, 28).

At the very first day, my cousin asked me to sleep with a man but I did not want to. Therefore, I had a severe life. Many days I had to stay in my cousin’s house and could not go out. I had to cut grass, clean the house, et cetera. I was not allowed to eat and was left hungry. Then I had to work as a prostitute. One day my cousin showed me six million VND and said that someone had bought me. My cousin took all the money. I was sold to become a wife of a man who had been married three times but had no children. The man’s family was very poor and did not have a good house – it was made from mud and straw. They lived few kilometers away from my cousin. My cousin often checked whether I worked hard or not. The neighbors told him I work hard. But sometimes he beat me (Binh, 28)

The above illustrations show that once the women arrived in the destination, the situation was not the same as promised. Not only that the location was not the same but also the job was different. In this situation, the women were forced to work in a job they did not want to, such as prostitution. The exploitation and coercion continue to occur when there is physical abuse like beating, severe hunger or sickness. This is the day-to-day depriving experience that the women have to cope during the trafficking experience. This everyday agency is the only way to survive even when exploitation transforms to severe deprivation as experienced by Binh when she was sold to a poor man, or Anh when she was left sick. Both illustrations above also show that when a person is trafficked, s/he at the same time lives in poverty as their capability is deprived through many forms of exploitation.

However, the strategy to get by can also reflect a creativity of an individual or serve as a building block to get out of poverty. In a trafficking experience, this building block is shown from the new network they have in the destination or even from the language they learn while abroad. The illustration below shows how women's everyday strategy when getting by with trafficking can be a building block to get out of it.

While I was in China, I learnt Chinese language. After he left me at the hospital, I went to a shop nearby and met the owner. He was such a humanist. He gave me money to get a bus to get back to Vietnam (Anh, 28)

For some other women, their personal strategy to get by can also be a building block to get out of poverty for other people, i.e. the family back home. One illustration below shows this finding:

That person took me to a prostitution place in Cambodia. My income varied depending on me. I tried to escape once, but I was caught and afterwards I was beaten. But I can send some money back home when I worked there (Linh, 17)

The illustrations above show the 'creativity' of trafficked women in coping with her stressful situation. It shows that although a woman had to get by with deprivation – being beaten, she could manage to get her family out of poverty. This experience illustrates that an individual does exercise his/her agency in any situation, however limited and how bad the situation is. More importantly from the above illustration, the everyday agency exercised by a person can serve as a strategic agency for some other people – the family.

3.3.2 Getting Out

After getting by with trafficking and poverty, some women could get out of the situation in several ways. Mostly they are rescued by a police raid or helped by other people as illustrated below:

I stayed there for seven to eight months. I tried to escape but I could not. They locked me and scolded me. Then the police came and arrested us. I stayed with the police in Cambodia for a few months to prepare documents to return (Mai, 17)

One day the police came and I was arrested. I went back to Vietnam afterwards (Linh, 17)

However, sometimes he beat me. Knowing my situation some neighbors informed the police and local authority and brought me back to Vietnam (Binh, 28)

The above illustrations show the experience of women who exercise their everyday agency but do not have the opportunity to exercise their strategic agencies due to limited personal resources and high or strong constraining structure. In this situation, the only way to escape from the trafficking experience is through other people's help or a police intervention.

Nonetheless, some women were able to exercise their strategic agency and get out of the trafficking situation. As argued earlier, this agency can emerge when personal, material or social resources are relatively not constrained and the structure in power is not as high. In addition to that, time and collective action can also increase agency of a person. Below are some illustrations to explain.

Overnight we traveled to China. I did not know any Chinese language at that time. He (the trafficker) left me at a Chinese family and went back to Vietnam. Later I asked a woman in that family why was I there and found that I had been sold for 3,000 Yuan to become a wife of a Chinese man. I did not agree and refused it. I even fought with a knife in a hand, so I was imprisoned in that house for 1,5 month. Later on, the son of the family told me that if I refused to be sold then his mother would lose money. Eventually I accepted with a condition that I could marry a man who lived not too far from their house. Not long after that, a man from the same street came to the house and took me as a wife. He had mental problem but was clever. His father was very kind to me too. He had lived in Vietnam before. He knew Vietnamese and talked so much with me. He helped me a lot and taught me Chinese language. He took me to the market to sell animals (snake, turtles) and let me keep the profit for myself to go back to Vietnam (Cam, 39)

From the above situation it is clear that a woman can get out of trafficking because she showed her agency in the first place by fighting and pointing a knife to the trafficker and later negotiating with them on who to marry. On the other hand, the trafficker also seemed to be willing to talk and negotiate. This illustration shows that agency can take place when there is strong personal resource and relatively negotiable structure. The exercise of agency thus gets the respective woman out of trafficking.

As argued earlier, *time* can also be a resource for agency. Cam's story above shows that she exercised strategic agency in a relatively short period after getting by of trafficking – one and a half months. Yet, some other women need to get by for few years until they can exercise strategic agency and get out of trafficking. Below is illustration from Dao, who experienced trafficking from 1995 to 1998.

I lied to my husband in China that I had a daughter in Vietnam but I was not married to any man. I said I would pick up my daughter in Vietnam, go back to China, and live together. I did not know how to get to Vietnam so I contacted the trafficker. I lied to the trafficker that I would share the profit to them if they allow me to go back. They agreed and I got back to Vietnam in 1998 (Dao, 45)

From the illustration above it shows that a woman exercised strategic agency by promising lies to her husband and the trafficker after three years of getting by with trafficking. In this situation, it seems that a woman needs to take some time to collect personal resource and gain trust from other people until she is able to exercise her strategic agency. Once the trust was obtained, as in Dao's case, the structural gap between the husband – or trafficker – and her reduced, and she was able to exercise agency.

Social network, as one resource that constitute agency, can also support the exercise of strategic agency. Relatives or someone from the same origin can assist a woman to negotiate with the husband and his family to get out of trafficking. The story below illustrates the role of social network in supporting strategic agency.

It was in 1994 and I was sold to become a wife of a Chinese man. He was poor and not very strong. In 1996, I asked his permission to go back to Vietnam. My husband was rather kind and willing to let me go back but his mother and sister in law did not agree. I had to get help from a Vietnamese woman who lived nearby. That woman guaranteed the family that I would go back to Vietnam and return to China. In 1996, I came back to Vietnam to visit my parents. Although at that time I could stay in Vietnam for good, but I thought that would harm the Vietnamese woman who had helped me to go to Vietnam. So, I returned to China (Hang, 58)

The illustration above shows how a trafficked woman can have the agency to get out of trafficking supported by her social network. For the case of Hang, she once had exercised her strategic agency to get out of trafficking, yet due to a strong connection to the social resource, it made her return to the same situation again. However, her second time in China could not be considered as trafficking experience since she voluntarily returned there.

As a continuum of everyday and strategic agency, getting by and getting out of poverty and trafficking can be done several times. Someone can try to exercise strategic agency but failed and thus s/he has to exercise everyday agency again. After some time, strategic agency might be re-exercised. Below is the illustration.

We tried to escape but they found us out. Then we were locked. However, eventually we succeeded to escape. We went to the Vietnamese Embassy in Malaysia and I brought my ID card with me. So they prepared all the documents to go home in Vietnam” (Phuc, 23 and Ngoc, 20)

In addition to the continuum of everyday-strategic agency, the above illustration also shows that a decision to escape might be successful and take place since it is a collective decision. When they were together, both women had bigger agency and managed to control the situation better than alone. Further, the decision of where to escape could also determine whether one could successfully get out of trafficking or not.

3.4 Beyond Trafficking Experience: Findings for Future Research

After analyzing the experiences of trafficking, I encountered some findings that might need further research. I acknowledged then that the strategic strategy to get out of trafficking does not necessarily mean a strategic strategy to get out poverty. Rather, it can transform to a new everyday strategy to cope with the new forms of poverty. Below are some illustrations about it.

After coming back, I found that my family was totally broke. My three children were in misery and my husband had to sell our big house and buy a smaller one. My husband’s health was not very good either. We also sold the farm. I was hopeless and shocked,

isolated. I did not dare to speak to other people, not to mention involve in any social activities (Dao, 45)

Now that I am back in Vietnam, I am sadder because my mother is not back yet (Kieu, 17)

The above illustrations show that getting out of trafficking and return to the original area does not mean getting out of poverty. It is a critical situation where one might get in to poverty (or deprivation) *again*, which can take the form of severe lack of materials, physical and mental weakness, or stigma from society. It also shows that both trafficking and poverty is a unique experience of an individual that occur as a continuum. For these cases, I draw a new model that looks like the following

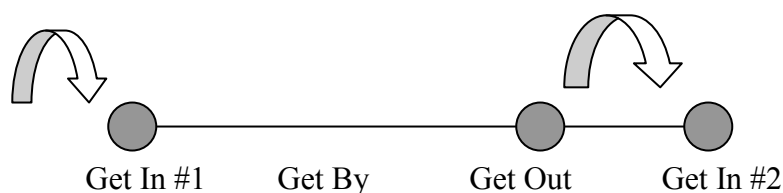


Figure 4. Trafficking and Poverty as a Continuum (Nasution, 2008)

This model might be modified depending on the need of the research to be done. For example, it can be used for research on domestic violence, conflict, inequality, or any other researches that view agency as the central topic of discussion.

4. Conclusion

The changing role of agriculture in Vietnam and the shift of communal to private economy have affected rural people's life in many ways. Among rural women, this change leads to a more complex problem that put them in severe poverty. Migration is often seen as the strategy to escape from poverty, but for women, in certain circumstances it can lead to a trafficking trap.

Although many studies mention that poverty is one of the root causes of trafficking, including trafficking in Vietnam, it is arguable to simply put it that way. Migration of women takes place in different contexts be it economy, political, or culture and for

different purposes. One way to better understand it is by looking at the “agents” who experience trafficking and explore their different stories.

In order to examine poverty as a root cause of trafficking one should consider looking at the process of how it gets someone to trafficking. This requires us to go back to the notion of poverty that moves beyond material need to capability deprivation as argued by Sen (1999). For some rural women in Vietnam, poverty in the sense of capability deprivation like lack of materials, health, and freedom can lead to a decision to migrate, but in a risky way, since their personal and social resources are poor and lucrative. This thesis found that trafficking is likely to occur in this circumstance.

Putting the “agent” at the central of the trafficking discussion allows us to look at how trafficking is experienced from the perspective of the people who were once trafficked. Trafficking and poverty is apparently a parallel experience since a person who experiences trafficking at the same time experiences poverty in the sense of exploitation, lack of freedom and capability. Nevertheless, there is a power to act among them, which shows the agency of an individual, even in a difficult situation. Some women in Vietnam who have experienced trafficking illustrated this.

Agency during the trafficking experience is dynamic rather than static, which takes the form of everyday strategy to cope with day-to-day deprivation, the strategic strategy to get out of it and interrupt the process, or both. Not everyone who experience trafficking can exercise all these agencies, mainly the strategic agency. Those who were able to exercise strategic agency experiences it in different ways, depends on the personal, time, or social resource s/he has and structure that she/he is in. Yet, for others who were not able to, the only way to get out is through assistance of other people.

Although there are some studies who insisted on the need to consider issues like humanity and agency into trafficking discourse, many other studies and policies on trafficking are occupied with certain interests, which result in the ignorance of the root

causes of trafficking as well as the people who have experienced it. In turn, they viewed people with trafficking experience as objects rather than subjects, which complicate the effort to end trafficking. By returning to the fundamental issue like agency, I hope this thesis can contribute to fill the gap that exists in the trafficking discourse. I found that it is valuable to meet and listen to “agents” if one wants to uncover hidden aspects of trafficking.

However, I realize that trafficking is a very complex issue. Although I met only ten respondents, I found a vast complexity of trafficking problems from each respondent. It is indeed an individual experience, which requires careful and specific approach for intervention. At the same time, agency is not free from complication. Existing structure as political system or culture can be a huge challenge for agency, which someone might not be able to exercise or even realize it. Future research that wishes to look at trafficking from the point of view of agents should consider this as well.

In terms of methodology, I recommend that future researches on a sensitive issue like trafficking provide themselves with preliminary knowledge on local political, security, or cultural contexts of the field research area. It would also be valuable to have the actual interaction with the research sample as well as the local context, as intensive as possible. However, above all, a research on sensitive issue does require flexibility.

Finally, I found that this thesis has given me a new perspective of looking at trafficking phenomenon, and in looking at life in general. It reminds me that anyone in difficult situation could gain strength and exercise her agency. Other people who see this should, indeed, respect it by not imposing their power, thoughts and idea.

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Appendices

Appendix 1

Interview Guidelines (Respondents)

1. Demographic Data
 - Name
 - Age
 - Origin
 - Previous occupation
 - Educational background
2. Family background and condition
 - Number of family members
 - Female/male-headed household
 - Gender composition in the family (siblings, extended family: aunt, uncle)
 - Main income of the family (farming, non farming)
 - What kind of crops do you grow
 - Earning from the work
 - Land possession
 - Family debt?
 - Sick family members?
 - Do the children go to school? Boys or girls?
 - Do women experience domestic violence?
 - Is there other family member work in the city/abroad?
3. Are there any changes in livelihood in the area (increase of non-farm activities; increased reliance to non-local source of income among rural households?)
4. Do you travel to the nearest city in Vietnam or in border area? For what purpose (market, school, work, etc)
5. Decision to migrate
 - Whose decision
 - When and how
6. How did you return
7. Current situation
 - Individual (trauma, work, social activities)
 - Family (main income, debts, education for other members)

8. Pair wise question:

- Which one would you prefer: working in village or in city/abroad?
- Why is the one better than the other
- Which one would you prefer: working in farming on non-farming (define non farming)
- Why is the one better than the other

9. Expectation/wishes for life improvement

Appendix 2

Interview Guidelines (Key Informants)

General Question

1. Can you tell me about trafficking victims you are working with:
 - What is the average age for trafficking victims?
 - Where are their origin (North and South)
 - What are their occupation prior to migrating
 - What are their educational background
2. What are the family background
 - Number of family members
 - Female/male-headed household
 - How is the gender composition in the family)
3. What is the purpose of migrate?
4. How was the family consent?
5. What is the role of family in deciding the migration of the woman?
6. What was the main income of the family?
 - Do they have land
 - Do they work in farming activities
 - Do they have work in non-farming
 - Do they have other source of income aside from the above?
7. What was the condition of the family
 - Do the family have debt?
 - Do they have sick family members?
 - Do the children go to school? Boys or girls?
 - Do women experience domestic violence?
8. What was the victim's and family's knowledge about the destination?
9. How do they return?
10. What are the similar causes of trafficking in North Vietnam and the South?
11. What are the differences?
12. What are the different approach that your organization does in respond to this?
13. What are your projects regarding victims of trafficking in the North and South?
14. Where are the areas?
15. Are they bordering areas? Do people commute/migrate for social facilities (school, market, hospital, work in factories or offices?)
16. Mekong Delta has a unique situation since it is the main producer of rice while also bordering with other countries. In fact, many reports mentioned that there are many trafficking victims were from this area. What do you think about this? (poverty/landlessness/debt, globalization that makes the youth do not want to work in agriculture, lack of social services in the area that pushes people to migrate, lack of awareness/capacity when migrating)

THE GOVERNMENT

THE SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

***NATIONAL PLAN OF ACTION AGAINST CRIME OF TRAFFICKING
IN CHILDREN AND WOMEN DURING 2004-2010***

**(Attachment to the Decision No.130/2004/QĐ-TTg dated 14/7/2004
of the Prime Minister)**

Part I

**SITUATION OF TRAFFICKING IN CHILDREN AND WOMEN AND
PREVENTION ACTIVITIES**

THE SITUATION OF TRAFFICKING IN CHILDREN AND WOMEN

- 1. Situation:** In the recent years, especially since the transition of economy into socialism-oriented market mechanism, the situation of trafficking in children and women has become more and more complicated and serious and tends to increase. A proportion of children and women are trafficked within the country, mainly from rural and mountainous areas to cities and towns for prostitution. The remaining is trafficked to other countries in various forms and for different purposes. According to incomplete statistics, there have been, so far, tens of thousands of Vietnamese women and children trafficked across border, mainly through paths and border gates in the Northern and South Western boundaries. In the North, the trafficked children and women are used as prostitutes in service establishments or illegal wives while in the South, most of them work as sex workers in large cities and bordering provinces. These areas are also places to transit victims to further countries in the region. In addition, the deceit and trafficking in women to Taiwan through marriage brokerage, the trafficking in children to aboard in the form of child adoption appears to be

extremely complicated and difficult to control over the past few years. Trafficking in children and women has been becoming an urgent and pressing problem, badly affecting the society, customs, tradition, social morals and Government laws, destroying family happiness, increasing the risks of HIV/AIDS transmission and resulting in potential impacts on national and social security.

2. Cause:

Objective cause:

In the context of market economy and international integration, many socio-economic problems exist, especially the difference between the rich and the poor and unemployment status. In several rural and remote areas, the local people suffer extremely poor living conditions and low level of education. Many women and children in especially difficult circumstances attempt to seek job opportunities in urban areas or abroad. Furthermore, as influenced by bad factors such as unhealthy cultural flow and social evils including prostitution and drugs within the country and the region, the national criminals in cooperation with the international ones take these as advantages for their illegal practices.

Subjective cause:

The awareness of the seriousness, necessity and responsibilities for the prevention and combating of trafficking in children and women amongst Party Committees, authorities, agencies and mass organizations at different levels is still limited. The prevention and combating of trafficking in children and women has not been done in a comprehensive and synchronous way. There is lack of close coordination among relevant authorities. The implementation structure is not well established to meet the requirements on prevention and fight against trafficking in children and women in a new context.

PREVENTION AND FIGHT AGAINST TRAFFICKING

Achievements in prevention and combating activities

Over the past few years, the prevention and combating of trafficking in children and women are always set in line with the prevention and combating of criminals and social evils in general. After the approval of the Directive No. 766/TTg dated September 17th, 1997 of the Government and the Resolution 09/1998/NQ-CP dated July 31st 1998

with regards to “**Strengthening the prevention, combating of criminals in the new situation**”, the prevention and combating of trafficking in children and women has been given more attention by the concerned authorities and achieved some initial results.

- The prevention focuses on communication and education on laws and policies, tricky practices of traffickers in order to enhance the local people’ awareness and vigilance; state management of security, management over hotels, guest houses, restaurants,... management over the brokerage business of marriage with foreigners, child adoption by foreigners, entry-exit management,.. in order to timely discover criminals and trafficking cases. For the returned victims, relevant agencies such as Border Guard, Police, MOLISA and mass organizations in close cooperation with local authorities help these people settle down their livings, seek jobs, and reintegrate into the community.

- Combating trafficking: While the trafficking in children and women is getting more and more serious, the police force acting as the lead agency in combating crimes, implement different measures to discover, prevent and combat the crime of trafficking in children and women in collaboration with other relevant authorities.

As reported by police from provinces and cities, the police forces at all levels have disclosed and arrested thousands of trafficking cases with thousands of traffickers in women and children (both inside and outside the country). Of this, 1,818 cases were prosecuted with 3,118 criminals committed trafficking of women; 451 cases were prosecuted with 672 criminals committed trafficking, exchanging or abusing children (According to Article 119, 120 of the 1999 Criminal Code). During 5 years alone of implementing Directive No. 766/TTg of the Prime Minister (1998-2002), the police and border guard forces at all levels quashed 921 cases with 1,807 traffickers in children and women.

Many large-scale and well-organized networks of trafficking in children and women to other countries in the region have been disclosed and handled by the police and border guard agencies. From 1998 to 2002, the People’s Courts at all levels prosecuted thousands of criminals committed trafficking in children and women in accordance with the Article 119, 120 of the Criminal Code (1999). Most criminals were sentenced strictly in conformity with the laws.

- International cooperation: Over the past years, the international cooperation in actions against trafficking in children and women has strengthened significantly. Vietnam has been involved in related international documents, signed Agreements of bilateral legislative support and particularly coordinated with neighbouring countries to fight against crimes, especially the cross-border trafficking in children and women.

Under the leadership of the Government, several relevant Ministries and agencies have implemented anti-trafficking projects funded by international organizations such as UNICEF, ILO, IOM, UNODC and others.

In general, the implementation of the projects have made significant contribution to prevention and combating of trafficking in children and women, especially in the fields of communication and education, legal study, situation survey and analysis, capacity building training to the staff of key Ministries, agencies and localities.

Some constraints in the prevention and combating of crime of trafficking in children and women

Though some results have been achieved, there remains a lack of synchronous coordination among agencies from the central to grassroots levels in prevention and combating of trafficking in children and women. A leading agency responsible for setting up a collaboration mechanism does not exist. The proportion of investigating and disclosing trafficking cases remains very low compared to the actual situation. The investigation into the situation appears to be occasional and untimely. It is passive in disclosing trafficking cases that are mainly based on the complaints from victims or their families. The residence management (both permanent and temporary) has not been done properly, especially in remote and rural areas. The legislative system relating to prevention and combating of trafficking in children and women has not been completed. In particular, the number and status of the trafficked children and women living abroad has not been known.

The staff working in this area in relevant agencies at all levels has not been updated with basic knowledge; There lacks internal and external information; distribution of its force and facilities for combating traffickers of women and children fails to meet the requirements in the current situation.

Part II

CONTENTS OF THE NATIONAL PLAN OF ACTIONS AGAINST TRAFFICKING IN CHILDREN AND WOMEN DURING 2004-2010

I. LEADING POINT OF VIEWS

1. Prevention and combating of trafficking in children and women is a significant social issue which needs to be put in the relationship between prevention and combating of crimes and socio-economic issues under the leadership of the Party Committees and authorities at various levels with the involvement of different agencies, mass organizations and the whole society.

2. Focus is given to prevention. There is a need for close linkage between prevention and fighting against trafficking in children and women and community re-integration for victims in line with the Party's guidelines and policies, Government laws and international laws.

II. OBJECTIVES

1. General objective

To make significant changes in awareness and actions among different levels, departments, mass organizations and the whole society on prevention and combating of trafficking in children and women in order to prevent and basically reduce the number of trafficked women and children by 2010.

2. Specific Objectives

2.1. From 2004-2006

- Raise the awareness and understanding of the community on the tricks, causes and consequences of trafficking in children and women; Improve the respect and implementation of laws on prevention and combating of trafficking in children and women in particular and crimes in general of every citizen and organization.

- Develop and mandate legal executing agencies; Reinforce the legislation and social management to prevent and combat trafficking in children and women.
- Prevent and combat trafficking to reduce 20% of crimes related to trafficking in children and women in target areas.

2.2 From 2007-2010

Synchronize preventive measures and actively combat trafficking to reduce more than 50% of trafficked children and women nationwide; Provide assistance to trafficked women and children who return to their hometown for re-integration into the community.

III. CONTENTS AND MAIN COMPONENTS OF THE NPA

1. Contents

- 1.1 Basic survey, situation analysis and forecast of trafficking criminals; Setting up of database related to trafficking in children and women.
- 1.2 Communication, education and encouragement of local people to identify, prevent and combat traffickers.
- 1.3 Synchronization of preventive measures among the families, communities, agencies and organizations.
- 1.4 Fight against trafficking in children and women and other related crimes, especially highly organized transnational crimes of trafficking in children and women.
- 1.5 Support to education, job opportunities, community re-integration for trafficked women and children. Funding and construction of receiving centers for returned victims.
- 1.6 Strengthening and capacity building training to staff working on prevention and combating of trafficking in children and women.
- 1.7 Development and finalization of legal documents related to prevention and combating of trafficking in children and women.

1.8 International cooperation in prevention and combating of trafficking in children and women, especially cross-border trafficking in conformity with the national and international laws.

2. Main components of NPA

2.1. Component 1: Education and communication in the community on prevention and combating of trafficking in children and women

Focus on regular advocacy and education communication under various forms; Organize communication campaigns at-risk target groups in the whole country, especially in targeted areas; Integrate the advocacy on prevention and combating of crimes and social evils; Develop cultural families, healthy communes, streets without social evils; Provide support and counseling to the families of victims and vulnerable women and children.

The Central Viet Nam Women' Union is the key agency with the involvement of the Committee for Population, Family and children, Ministry of Culture and Information, Youth Union and other Ministries and Departments.

2.2. Component 2: Combating trafficking in children and women

Focus on prevention, identification, investigation and sanction of trafficking in children and women and other related crimes, particularly cross-border trafficking in children and women and internationally organized crimes.

Arrest criminals who are hidden by themselves, prevent them from committing further crimes and becoming new criminal organizations.

Sub-component 1: the Ministry of Public Security is the key agency to implement in the inland areas.

Sub-component 2: the Ministry of Defense (Border Guard Command) is the key agency to implement in the bordering areas.

The Committee for Population, Family and Children, Ministry of Justice, Ministry of Foreign Affairs, People's Supreme Court, People's Court of Investigation and other ministries and department will coordinate with these key ministries.

2.3. Component 3: Receipt and support to women and children victims returning from abroad

Focus on close monitoring border gates: Coordinate with public security forces and border guards of bordering countries and relevant authorities to make necessary procedures to receive and provide support to returned victims.

The Border Guard Command will be the key agency in-charge-of receiving victims and complete handing over procedures. MoLISA will coordinate with other ministries, departments and local authorities to carry out education activities and help the victims quickly settle down their livings and re-integrate into the community.

2.4 Component 4: Development and strengthening of legal framework in relation to the prevention and combating of crime of trafficking in children and women

Conduct research; Develop and strengthen legal framework as well as legal documents relating to prevention and combating of trafficking in children and women in terms of: criminal law, administration, marriage, child adoption involving foreigners, tourism and labor export, exit-entry management, prosecution, and community reintegration of victims.

Ministry of Justice will be the key agency in this component with the involvement of Ministry of Foreign Affairs, Ministry of Public Security, Ministry of Defense (Border Guard Command) and other Ministries and departments.

Part III

IMPLEMENTATION ARRANGEMENT

I. Management

- The contents of the NPA relate to different areas under the management of various Ministries and agencies. Therefore, the NPA needs to be synchronously implemented under close cooperation among Ministries, agencies and mass organizations.
- It is imperative to set up a National Steering Committee for the National Plan of Action against crimes of trafficking in children and women chaired by a Deputy Prime Minister. Vice Chairperson is an official from MoPS. Its members are from other relevant ministries, agencies such as Ministry of Foreign Affairs, Ministry of Justice, Ministry of Labour, Invalids and Social Affairs, Vietnam Central Women' Union, Committee for Population, Family and Children, Ministry of Planning and Investment and Ministry of Finance.
- Provincial Steering Committees will be established with the similar memberships.

II. Assignment of Responsibilities

1. Ministry of Public Security:

- Act as standing agency of the National Steering Committee, responsible for assisting the Government in coordinating and implementing the NPA; Appoint a full-time taskforce in-charge-of prevention and combating of trafficking in children and women; Provide guidance and instruction to provincial Police Departments to implement the NPA.
- Act as a focal point in cooperation with other relevant ministries, agencies and People's Committees of provinces and cities, to monitor the situation and collect the statistics of the women and children trafficked or illegally transported to other countries.

- Identify the targeted areas; Instruct the police forces at all levels to strongly apply professional practices in order to disclose, prevent and quash trafficking networks. Manage temporary and permanent residence at commune, ward and town levels; Mobilize people, in cooperation with the Vietnam Fatherland Front and mass organizations, to participate in the prevention, disclosure and fighting against crimes, and in maintaining social security.
- Together with relevant departments and local People's Committees, examine and handle illegal matching service establishments, child adoption involving foreigners, and tourism and labor export services violating the laws in sending people abroad.
- Strengthen organizational structure and specialized staffs from the central to local levels to timely detect, quickly investigate and strictly handle the organizations and individuals breaking the laws on prevention and combating of trafficking in children and women and illegal sending of women and children abroad.
- Be a focal point in international co-operation in prevention and combating of trafficking in children and women in coordination with Interpol and the Police of neighboring countries, especially China, Cambodia to detect, prevent, and combat cross-border trafficking in children and women.
- Regularly update the situation and prepare annual report to the Prime Minister with recommendations for difficulties and constraints.

2. Ministry of Defense (Border Guard Command)

- Strengthen control measures at border gates in order to prevent illegal sending of women and children abroad.
- Act as a lead agency and co-operate with relevant Ministries and Departments to receive and support the returned women and children victims who are trafficked outside the country boundary.
- Collaborate with the national and international Police such as China, Cambodia,... to detect and prevent the illegal cross – border transportation of women and children.

- Coordinate with relevant agencies in propagating and mobilizing people in border areas to involve in combating trafficking in children and women.

3. Ministry of Foreign Affairs

- Act as leading agency and coordinate with the Ministry of Public Security in political issues and external relations; Cooperate with foreign countries to prevent and combat of trafficking in children and women to abroad; Update the situation and number of trafficked children and women who are living abroad; Establish appropriate policies to work with international organizations and countries involved in elimination of illegal sending of Vietnamese women and children abroad.
- Co-operate with mass organizations and people to mobilize and take advantage of the assistance from international NGOs in handling this issue.

4. Ministry of Labor, Invalids and Social Affairs

- Act as a lead agency and co-operate with the Ministry of Public Security, Border Guard Command, the Ministry of Public Health, Committee for Population, Family and Children, Vietnam Central Women' Union, People's Committees at various levels to organize vocational training, job placement, community re-integration for the cross-border trafficked women and children who returned home and send whom suffering from social diseases to health treatment centers.
- Conduct research and update the list of jobs and vocations in which the use of woman and child labor is prohibited with the aim to prevent them from being abused.

5. Ministry of Justice

- Act as a lead agency and co-operate with other Ministries and Departments to develop and strengthen the legal system on prevention, combating and handling of crimes relating to woman and child trafficking; Organize legal dissemination and education on prevention and combating of trafficking in children and women.

6. Ministry of Planning and Investment

- Coordinate with the Ministry of Finance to allocate budget to anti-trafficking programme and include it in the annual plan to be submitted to the Prime Minister for consideration and approval.

7. Ministry of Finance

- On annual basis, provide guidance to prepare cost estimate for the NPA until 2010 in accordance with the State Budget Law; Examine the management and utilization of budget; Take the lead role in review of appropriate measures and propose them to the relevant authorities in order to mobilize funding from national and international sources.

8. Vietnam Central Women' Union

- Act as a lead agency and co-operate with relevant Ministries, departments, agencies mass organizations and local authorities to organize dissemination, education and counseling activities at the community on prevention and combating of women and child trafficking.
- Coordinate with the Ministry of Labour, Invalids and Social Affairs to provide support and assistance to returned victims for re-integration into the community.

9. Committee for Population, Family and Children

- Act as a lead agency and co-operate with relevant Ministries, departments and agencies to prevent child trafficking and commercial sexual exploitation.

10. Ministries, Ministerial – level agencies and Government agencies

- Work out plans to direct the implementation of measures to combat and prevent woman and child trafficking within their responsibilities and authority.

11. People's Committees of provinces and cities

- Be responsible to implement the NPA and its components, especially the Component 1, 2 and 3; Develop specific plans suitable to the local situation; Select locations for pilot implementation to draw lessons learnt; Clearly define the responsibilities of the Chairmen of district and commune People's Committee in the implementation of the NPA.

12. Supreme People's Court, Supreme People's Court of Investigation

- Strengthen instructions to branch agencies at local levels; Closely co-operate with other law enforcement agencies in investigating, prosecuting and handling crimes of trafficking in children and woman in a timely and strict manner.

11. Vietnam Fatherland Front, Vietnam General Confederation of Labour, Vietnam Veterans' Union, Vietnam Farmers' Union, Vietnam Central Women's Union, Central Youth Union

- Closely co-operate with Ministries, departments, and authorities of different levels to advocate and mobilize local people to actively involve in prevention and combating of women and child trafficking.

III. Funding for implementation of the NPA

Funding is mobilized from various sources:

- 1. State budget:** Every year, the Government reserves an amount of funds to implement the NPA, objectively support key tasks and components.
- 2. Local budget:** On annual basis, the locality should actively develop plans and allocate funding for prevention and combating of woman and child trafficking, and integrate it into other programs and projects in the area.
- 3. Other sources inside and outside the country (contributions of community and international sponsors...)**

The funding from the state budget allocated annually according to the State Budget Law is to be planned and submitted by the Steering Committee to the Government for approval.

The Ministries, Departments, People's Committees of provinces and cities are responsible to implement, regularly monitor and follow-up the NPA, develop periodic and yearly plans to appropriately and effectively implement the NPA and projects.

FOR THE PRIME MINISTER
VICE PRIME MINISTER
Pham Gia Khiem
(Signed)