

Trafficking in women from Vietnam to China: an analysis of push and pull factors

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There is no doubt that globalization has created a huge flow of capital, goods, services and people from countries to countries all over the world. Most of the attention has paid on drawing the exchange of goods, service development and capital grow; but less to the correlated link between globalization and movement of people; especially the negative aspect of this emerging human flow. In which “human trafficking represents perhaps the worst form of labor exploitation and can be regarded as one of the dark sides of globalization” (Jones et al, 2007, p. 108). Especially trafficking in women from developing countries to developed countries or within developing countries for prostitution, marriage and forced labour etc. It is estimated that 80 percent of persons trafficked are female.

Vietnam is located in the Southeast Asia, a hotspot of human trafficking as it is considered as multi-positions of sending, receiving and transiting region. Bordering with Laos, Cambodia and China, Vietnam has been known as a sending country of trafficking in women mostly to China, Cambodia and some other countries in Asia and Europe. Especially, Vietnam and China geographically are sharing a long border of around 1,200 km. At the same time, Vietnam and China are the two reformed economies which are in transition from centrally planned economy to market economy. In the last two decades, two countries started to open their borders as a step in the reform process and it has resulted in an increase of migration internally and internationally. “Changing migration patterns in these two reformed economies are generally linked to the far-reaching economic changes..., accompanied by necessary more open-border policies that facilitate the circulation of goods, capital and people” (Le et al., 2005, p. 3). Regarding the issue of trafficking in women, China plays a role of receiving country and Vietnam as a sending country. Vietnamese women trafficked to China commonly for marriage, forced labour and sexual exploitation. There are so many factors to be examined within the network and pattern of human trafficking. But in the

context of this paper, the focus is only paid on the push and pull factors which lead to trafficking in women from Vietnam to China. After the analysis, some recommendations will be proposed to both sides in order to contribute to changing the situation.

The UN Trafficking Protocol defines trafficking in Article 3 as:

Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

'Exploitation' shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

(United Nations, 2000)

The adoption of the UN Trafficking Protocol introduced an internationally recognized definition, which should be the basis for other international legal instruments dealing with the subject of trafficking in human beings (Scarpa, 2004). This definition is considered to encompass all major dimensions of trafficking in persons and is used widely as the basis for initiating policy among UN member countries (Samarasinghe, 2008). Both China and Vietnam are not the state parties of this UN Protocol; then how those countries, especially Vietnam, have coped with the emerging issue of human trafficking? According to the Penal Code of Vietnam 1999, trafficking in women whether inter- or in-country is defined in Article 119 as follows:

1. *Those who traffic in women shall be sentenced to between two to seven years of imprisonment.*
2. *Committing the crime in one of the following circumstances, the offender shall be sentenced to between five and twenty years of imprisonment:*

- a) trading in women for the purpose of prostitution;*
- b) in an organized manner;*
- c) being of professional character;*
- d) for the purpose of sending them overseas;*
- e) trafficking in more than one person;*
- f) trafficking more than once.*

3. The offenders may also be subject to a fine of between five million and fifty million

Dong, to probation or residence ban for one to five years.

“Trafficking or the recruitment and transportation of women for profit, occurs both within countries and cross borders. Internationally, trafficking occurs primarily from the South to the North and increasingly, between Southern countries” (Chuang, 1998, p. 68). It is true in the case of Vietnam and China. Geographically, Vietnam and China have a long border with six provinces on the Vietnamese side (namely, Lai Chau, Lao Cai, Cao Bang, Lang Son and Quang Ninh) and two provinces on the Chinese side (Yunnan and Guangxi) and covering four international, three national and 14 provincial border gates (Wang, 2005). From Vietnam, it is very accessible to China both for human movement and good transportation; especially since the two countries normalized the relations in 1992. Besides, there are many unofficial paths to cross border used by local people in both sides. In fact, China is also a major sending of human trafficking but in relation to Vietnam, China plays a role of receiving country; specifically the two bordering provinces.

According to research and project documents conducted by Save the Children, IOM and UNICEF and Ministry of Public Security of Vietnam, the victims of trafficking in Vietnam are most often women aged up to 45 and girl children around the age of 12-17 years (UNODC Vietnam, 2005). It shows that human trafficking is a gender issue which really needs attention from both governments in addressing the emerging phenomenon. Within ten years since Vietnam and China restored the diplomatic relations, about 10,400 Vietnamese

women were sold in China to be wives of Chinese men or to work as maids or in prostitution (The Protection Project, 2002). From 2005 to 2009, about 6,000 women and children were identified as being trafficked from Vietnam; some 3,190 (approximately 60%) were trafficked to China (mainly from North and Central provinces of Vietnam) for the purposes of forced marriage, or to be sexually exploited in brothels (CEOP, 2011). Those facts are considered as convincing evidences to prove for ILO's conclusion that the majority of people trafficked for sexual exploitation or subjected to forced labour are female; particularly ILO's Special Action Programme on Forced Labour finds that 64 percent of trafficked victims for forced labour are women (UN Women, 2010). Commonly, Vietnamese women and children are trafficked to China for marriage, commercial sex works and labour exploitation such as domestic workers, entertainers and waitresses in bards, cafes and massage houses etc. As Wang (2005) summarized the statistics from different organizations working to combat human trafficking, the situation of trafficking from Vietnam to China was captured as follows:

- “A report issued in 2000 by the Vietnam Ministry of Public Security (MPS) indicated that at least 22,000 women and children were illegally sent to China between 1991 and 1999 as domestic workers and prostitutes or forced wives as a result of China’s shortage of women;
- Another report from the Vietnam National AIDS Committee stated that in the Chinese border town of Ha Khau alone, there are over 500 Vietnamese sex workers. Authority from China’s Guangxi province reports that of the 1,000 Vietnamese women recently discovered to be illegally residing in the area, 80 percent of them were victims of trafficking;
- The Vietnamese Border Guard Command reported receiving 7,918 trafficked women returned from China during the year of 1996-2000;

- According to 1999 survey by Women's Federation of the Chinese border city of Dongxing, 1,269 Vietnamese women are living in the city with a population of 120,000. Of them, 674 are married to local residents without going through legal formalities. Statistics from Dongxing Public Security Bureau indicated that 242 Vietnamese women are involved in the 74 trafficking cases recorded since 1990. To date, 231 of those women have been rescued;
- According to the Public Security of the Chinese border city of Pingxiang, the city had rescued 13 Vietnamese women between 1992 and 1997. During the nationwide crackdown on trafficking of women and children in 2000, the Bureau rescued 103 Vietnamese women; nearly half of them had been forced into prostitution."

(Wang, 2005, p. 8)

Aside from North Korean women, Vietnamese women are trafficked to China the most. According to the International Organization for Migration, there are currently [2009] more than 10,000 Vietnamese women in China illegally, most of whom are trafficked brides; women trafficked from Vietnam are usually trafficked for prostitution and forced marriages, the beautiful ones sold as wives, while the less attractive women are sold to brothels (Monte, 2009).

In this situation, an effective strategy to defeat trafficking must begin with a better understanding of the global "push" and "pull" factors that promote emigration. It may be true that "...trafficking patterns vary according to global supply of and demand for trafficked women, trafficking generally arises in conditions of poverty and in locations that lack viable economic opportunities relative to other countries" (Chuang, 1998, p. 68). People usually are "pushed" out of poor countries where economic opportunity is lacking and "pulled" into

countries that have a higher level of economic prosperity with corresponding demand for cheap labour.

But in the case of trafficking in women from Vietnam to China, one of the important pull factors is that the One-Child-Policy (OCP) in China. This factor must be seen first before any other economic related factors. It is said that the OCP has resulted in the deficit of women in China creating a market for Vietnamese trafficked women (Le et al., 2005).

Enacted in 1979, China's one-child policy was implemented in order to slow the country's surging population... By the 1970's, the age old tradition of having big extended families had caused China's population to reach well over 900 million, which began to put a strain on the country's already limited resources. ... By entering in the 20th century, China's population was quickly approaching one billion. Afraid that this rapid population growth would ruin China's attempts to modernize, China created the one-child policy, otherwise known as the "Population and Family Planning Law," which only permitted families to have one child.

(Monte, 2009, p.126 - 127)

In fact, when the OCP was first introduced in China, it served intentionally for multi-functions including a way of reducing the population as well as a tool to modernize the Chinese traditional ideals regarding marriage, family and women. The Chinese government expected that the OCP would help to improve women's status in Chinese society where arranged marriages, son preference and having big families exist. Simply, by limiting families to one child, women were no longer confined to their traditional role of taking care of the house and children; women were now free to further their education and work outside the home (Monte, 2009). Chinese citizens all receive an ideological education in order to ensure their awareness of and adherence to all the OCP requirements; they are instructed in

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