Photo Courtesy of Migrant Workers' Education and Action Research Center

Vietnamese vendors carry goods to trade back in Vietnam. Pingxiang District, Guangxi Province, China, 2006.

Overview of Migration: Yunnan/China

1. Migration into Yunnan

1-1. Vietnamese in Yunnan

Vendors

Hekou county in Honghe Prefecture, Yunnan, is the largest trading route between Yunnan and Vietnam. Vietnamese vendors cross the Hekou border checkpoint daily to sell Vietnamese fruits before returning to Vietnam with Chinese agricultural products. These vendors and entrepreneurs comprise roughly half of all Vietnamese migrants in Hekou.

CHINA - YUNNAN & GUANXI
CHINA
BURMA
VIETNAM
LAOS
THAILAND
Map detail
C H I N A
Shangri-la
Diqing
Puer
Zhaotong
Lijiang
Nujiang
Dali
Qujing
Baoshan
Chuxiong
Kunming
Dehong
Yuxi
Lincang
YUNNAN
Honghe
Wenshan
Baise
GUANXI
Longsheng
Gulin
Liuzhou
Yangshuo
Wuzhou
Nanning
Guigang
Jinghong
Xishuangbanna
Qinzhou
Yulin
Beihai
VIETNAM
LAO P.D.R.
THAILAND
© Mekong Migration Network Map by Boyet Rivera

Sex Workers

Hekou has numerous places of entertainment that offer commercial sex services to clients. Many of the Vietnamese migrant workers who engage in sex work in Hekou originate from villages within the Lao Cai, Hanoi and Hai Phong provinces. These sex workers are commonly between 17 and 22 years of age, and have little proficiency in Chinese dialects. Typically, Chinese sex workers are deducted a fee from their earnings by their pimps but are able to keep a substantial amount of their income for themselves. This is not the case for the majority of Vietnamese sex workers, who instead receive a monthly salary from their pimps. This difference results in a significant disparity between the incomes and earning potential of Chinese and Vietnamese sex workers. Vietnamese sex workers therefore on average earn considerably less than their Chinese counterparts.

Refugees

The Sino-Vietnam War resulted in many Vietnamese refugees fleeing across the border into Hekou county. These refugees were mainly composed of members of the Zhuang, Miao, Buy and Dai ethnic groups. Although the refugees receive assistance from the national Refugee Relocation Office and the UNHCR Office, their legal status has not yet been resolved, and they continue to live in impoverished conditions.

Brides

Since the late 1990s the number of Vietnamese women marrying Chinese men has been rising. However, since the majority of these marriages are not registered, reliable statistics are currently unavailable.[1]

1-2. Burmese within Yunnan and the Chinese Interior

The city of Ruili lies in the southwest of the Dai-Jingpo Autonomous Prefecture of Dehong, in the west of Yunnan. Situated around Ruili are numerous important ports, such as Wanding in Luxi county, a capital of the Autonomous Prefecture. Mang City, located north of Ruili, is a provincial port. Zhangfeng is a Burmese national level port. Muse lies to the southeast of Ruili, while the important town of Namhkan in Burma is to the southwest.

The fields along the border interlace the two countries, while the peoples of the border region share common culture, language and ethnicity. Cross border marriages are commonplace and kinship ties are strongly reinforced by business, family and social links. The border is also the point where the Kunrui Road and national highway No. 320 come to an end. In addition to close relations between the people on the border, the continuing instability within Burma has also led to a steady flow of migrants into China over the past three to five years.

The large disparities that exist between the Burmese migrant population and the host community are apparent in the differences in the quality of life enjoyed by the two groups within China.[2] Although some Burmese businessmen have regularised their immigration status and earn a stable income, many Burmese migrants have neither official immigration status nor job security. Many depend on the informal sector for their income.

Background to field study

In order to investigate further the phenomenon of cross-border marriage, the China CRT in 2006

conducted a field study of Burmese spouses living in two villages close to Ruili on the Chinese side of the border. Twenty-eight Burmese migrants of Dai and Jingpo ethnicity participated in this study, including 23 women and five men between the ages of 21 to 59. Ten participants were between 21 and 30 years of age; 13 participants were between 31 and 40, and five were above 41 years of age. Most of the spouses interviewed were peasants living on farmsteads who had come to China many times before entering into marriage. Five of the participants had gotten to know their spouses when they worked in China before marrying them and permanently residing there. These women had prior knowledge of Chinese society, given their earlier visits to China. Almost all of the spouses interviewed in the course of the study regularly returned to Burma to visit their parents after marriage.

Marriage types

This study documented two main types of marriage: free amative, or love matches; and arranged marriages whereby the spouses were introduced by third parties. All of the participants interviewed in the course of this study belonged to the prominent ethnicity of the village in which they moved to upon marriage. For example, all of the Burmese women marrying into villages where residents were predominantly of the Jingpo and Dai ethnicities were of the same ethnicity as their host community. In most cases, the spouse spoke the same language and dialect in addition to sharing the same culture and customs of their new in-laws and community.

The study did not encounter a single instance of mixed marriage where, for example, one of the spouses was from the Jingpo ethnic group and the other was from the Dai. As explained by one of the villagers, 'It's not good for one family to believe in two religions'. Some villagers objected strongly to this kind of marriage. The issue of mixed marriages provoked underlying concerns over the relationship between the two main ethnicities of the area, as an individual's identity is closely constructed around their ethnicity rather than their nationality.

Family relationships and social interaction

Most of the participants expressed that they got along well with their spouses and in-laws. It was common for them to be involved in the family's financial decision-making, and they often discussed these matters with their spouses. Only one participant stated that her family finances were solely controlled by her parents-in-law. The participants also conveyed that they got along well with other villagers in their new communities. The women all participated in activities arranged by the villages' women's organisations.

Over the past few years, the villages studied have been experiencing numerous social problems. In particular, drug use has become a serious issue along with associated crimes such as theft and robbery. In November 2005, the women, out of concern for their husbands and children, organised village-protection teams to patrol their communities in order to eliminate the phenomena of drug sale and abuse in the village. After more than a year, the village-protection teams have achieved noticeable effects. The women's local self-saving action has been well received by all members of the community.

Burmese women who had married into these villages all participated in the above-mentioned activities. Local women said, 'We usually don't feel they are 'foreigners' at all.' These kinds of comments imply that Burmese women marrying into these border villages are generally accepted as part of the local community.

Expectations and registration issues

When questioned on their hopes for the future, around 80 percent of the participants hoped that their houses could be repaired and that their living conditions could be improved. Of the men who have not settled in the villages, their greatest expectation was to gain registration as permanent residents, which would permit them to move outward and to search for employment elsewhere in China.

In the study, 14 of the Burmese spouses interviewed explained that they had obtained permanent residency in China, while another 14 had not yet been able to register. All of the children of the participants, except for those who had been born abroad, had been registered with the authorities.

In most cases, Burmese women who were married in China before 1991 had been granted permanent residency and had obtained marriage certificates. However, due to changes in government policy, those who have entered into marriage in China since 1991 have experienced difficulties obtaining legal status or registering their marriage or identity with the authorities. Local police and basic civil administration departments predominantly turn a blind eye to cross-border marriages.

The majority of participants stated that they could freely partake in the community's public welfare activities and social functions without fear of discrimination. However, the administration does not permit participants to travel to places such as Mangshi or Kunming to work without first obtaining the necessary registration or identification documents. The participants explained that they had no access to advice or assistance that would allow them to overcome these obstacles. They hoped that their problems with registration could be resolved so that they could travel in search of jobs or conduct business in other places.

National boundaries and border control: exit-entry administration

China has no coherent policy to administer the people living along the Yunnan-Burmese border. The current status quo, whereby the authorities turn a blind eye to cross-border marriage, allows Burmese spouses to give birth to children in Chinese villages. While the newborn child's registration is accepted by the local authorities, the migrant spouses' status is often left unresolved.

The border authorities issue various types of permits and certificates to control exit and entry along the border. These include border-people certificates, local residence certificates, identification and entry-clearance certificates. If a Burmese national wishes to work in China, border authorities require a work certificate, health certificate and labour import-export permission from the appropriate government agencies. Many of these certificates have overlapping functions, while the associated bureaucracy is handled simultaneously by various government departments. This is evident in the fact that the border port is the responsibility of the armed border police, while the border itself is controlled by the regular land army, and the site belongs to the local police. Meanwhile, exit-entry and foreign-affairs issues are the responsibility of the section on exit-entry administration and bureau of foreign affairs, respectively. These elaborate systems of administration, along with complicated regulations, create serious challenges for border-people seeking to regularise their immigration status. Moreover, the geography of the border is complex, and undocumented exit-entry byways exist everywhere, allowing close ties and everyday interaction between border communities to continue, regardless of official policy.

Burmese spouses in the Chinese interior

Since 2000, the number of Burmese women marrying in mainland China has risen, principally in Henan, Hebei, Anhui and Shandong provinces. Recently, this phenomenon has become increasingly pronounced, reaching its peak in 2005. The authorities in Henan province have taken action to eliminate 'three kinds of undocumented people': undocumented entrants, undocumented residents and undocumented workers. In some places, the authorities have arrested Burmese women in actions against undocumented migrants. Such operations have once again brought the issue of cross-border marriage into focus.

2. Migration from China to other GMS countries

2-1. Chinese in Lao PDR

China and Lao PDR began their formal trade relations in 1992. Following Lao PDR's joining ASEAN in 1997, more and more Chinese nationals have begun to migrate to every part of Lao PDR.

In May 2005, there were three new international transportation links from Yunnan to Vientiane, Lao PDR's Capital City: Kunming-Vientiane, Simao-Vientiane, and the Jinghong-Wanxiang routes. The Kunming-Wanxiang railway line is 1,600 km long, traversed by a train scheduled every three days. This line connects Simao and Xishuangbanna in Yunnan with Vientiane and the famous old city of Luang Prabang. This has promoted trade between the two countries by facilitating the travel of Chinese merchants who make several visits each week between the countries.

Most Chinese nationals who choose to enter Lao PDR by land pass through the Mohan checkpoint. The Mohan checkpoint lies in Mengla county in Yunnan, adjacent to the Lao checkpoint of Moding. Every day, thousands of people pass through the Mohan check-point, most of them merchants.

The Chinese frontier defense police estimate that the number of Chinese nationals in Lao PDR exceeds 100,000. The Chinese Association in Vientiane estimates that there are more than 10,000 Chinese nationals staying in Wanxiang. Chinese merchants have now spread throughout Lao PDR, from the north to the interior and to Wanxiang in the south.

The Chinese nationals who enter Lao PDR through Yunnan come from every part of China, though the majority originates from Hunan Province. The Chinese in Lao PDR mainly conduct business, working primarily in the construction and mining sectors. Many of the workers employed in these two sectors of the Lao economy are Chinese nationals.

Among the Chinese in Lao PDR, undocumented stall-holders and construction workers are the most vulnerable, along with the women who engage in sex work, serving the Chinese emigrants. Most of the workers are peasants lured to Lao PDR by agents with the promise of the high salaries that they can earn in Lao PDR. Illegal agents arrange the requisite border-trade certificates. However, most Chinese migrants do not recognise that the certificate is valid only in the three Northern provinces, including Oudomxay Province, and only for a short stay. The certificate is useless in the capital Vientiane and in Wanxiang, where many Chinese migrants find jobs. They therefore face the risk of arrest for not complying with the conditions attached to their border-trade certificate.

Photo Courtesy of MMN

Burmese children in China. 2006.

2-2. Chinese in Cambodia

The neighbouring country of Cambodia has kept good trade links with China since diplomatic relations were established in July of 1958. In 1996, the two countries signed a Trade Convention, and more recently they have ratified an Investment Protection Convention, which has promoted their trade relationship to a new level.

Garment industry

Coinciding with these improvements in trade cooperation, more and more Chinese citizens have begun swarming into Cambodia as investors, project contractors and migrant labourers. This is exemplified by the numerous Chinese garment-manufacturing and textile workers who have been sent to Cambodia in order to develop Cambodia's bourgeoning garment-manufacturing industry. There are approximately 7,000 Chinese workers in Cambodia. Most of them are employed in the textile sector, where they are technical workers and skilled operators. The majority are employed in the ten or more garment-manufacturing factories that have been set up by Chinese, Hong Kong and Taiwanese merchants.

Presently there are more than 200 garment-manufacturing factories operating in Cambodia.[3] In 2006, the country's foreign trade export totaled USD 3,693 million,[4] with garment-export alone accounting for 72 percdent of total exports.[5] The rapidly developing local garment-export industry employs more than 270,000 workers,[6] and has contributed to the country's economic development. Meanwhile, the industry has absorbed large quantities of Chinese migrants into Cambodia, mainly as instructors or technical workers. The Chinese migrants originate from

several provinces and cities on the Chinese mainland, including large numbers from Zhejiang, Fujian, Jiangsu and Sichuan.

Deceptions

Due to the lack of established mechanisms for sending Chinese workers abroad, some unscrupulous merchants deceive Chinese migrant workers to enter Cambodia unlawfully. This has provoked a serious undocumented labour problem. Of the 7,000 Chinese workers in Cambodia, just over 2,000 of them have obtained the requisite labour permission certificates from the Cambodian government, leaving the majority, or nearly 78 percent, entirely undocumented. In 2002, several workers approached the Chinese embassy in Cambodia seeking help after having been misled and abandoned by their employer. In the first half of 2002, the Chinese Embassy dealt with six cases concerning the swindling of migrant labourers, with the total number of victims reaching one hundred.

Another common method of deception is for a 'prospective employer' to claim that their factory is recruiting staff, only to leave migrant workers stranded in Cambodia with no job at a non-existent factory after handing over thousands of Yuan. Such scams left numerous Chinese migrants helplessly stranded in Jinbian. While some of those deceived approached the Chinese embassy for assistance, others were forced to work in the informal sectors in order to survive.

Sex workers

In addition to the garment industry, the service sector, including restaurants, massage parlors and food-processing, is another destination for Chinese migrant workers. Having been deceived in a similar way to the garment industry workers mentioned above, many women resort to employment in massage parlours, where many are forced to work as sex workers and threatened against informing anyone of their situation. Some escape to Jinbian after saving enough money for transportation. Others cannot afford the expense and must borrow the necessary money in order to redeem their passports, which have been confiscated by their employer. They are then only allowed to leave the workplace after they have signed a disclaimer and handed over large sums, sometimes called 'lodging fees'.

2-3. Chinese in Burma

In the first half year of 2006, the Burmese government repatriated 800 undocumented Chinese labourers to China. The rapid development of the Chinese economy has had an enormous impact on neighbouring Burma, as China seeks to satisfy its demand for natural resources. At present, nobody has earnestly attempted to count the number of Chinese nationals currently working in Burma. The substantial outward and inward flows at the China-Burma border make accurate estimates virtually impossible. Some have estimated that there might well be several hundred thousand Chinese migrants in Burma, the majority of whom are in northern Burma. Others suggest that 200,000-300,000 Chinese migrants work in the region of Kokang alone.

Chinese migration to Burma can be classified into three distinct categories:

1) Businessmen partaking in the import-export trade and running factories in the big cities of Burma;

2) Migrant workers employed in the service sector centralised along the China-Burma border areas; and
3) Undocumented migrant labourers.

Skilled workers hired by Chinese corporations

The majority of Chinese workers who migrate to Burma are employed by Chinese corporations. For instance, many engineering and technical labourers work on project sites, where their food, clothing and daily life are arranged by the companies. While their work situations may be similar to those in China, their salaries are relatively higher than what they would expect to receive in China. This allows them to return home in a few years with some savings.

Low-wage service jobs

Most Chinese migrant workers in the service sector are employed in Chinese-owned restaurants, barbershops, hairdresser salons, casinos, where they earn relatively low wages. Their basic monthly salary is between RMB1,000-3,000 (USD125-375), with some employers providing food and accommodation. Even so, this income is higher than the average wage in the Yunnan, Guizhou and Sichuan provinces of China. Therefore, many of the workers from these three provinces of China migrate to Burma for work. Because of the low cost of living in Burma, they are able to enjoy a relatively good quality of life, save some money, and have little worry over basic necessities.

Casinos

Many Chinese migrants work for casinos in the border areas of Burma. The Burmese border is more than 2,000 kilometers in length, and casinos have become a ubiquitous presence in the Burmese Shan and Kachin states. This region is part of the 'golden triangle', formerly one of the three largest opium-producing areas in the world, which is now a major centre for the casino industry along the China-Burma border. According to police agencies in Yunnan province, 82 casinos operate close to the Yunnan border. Casinos began to thrive during the 1990s and were commonplace by 2000. Recently their presence has provoked a series of crackdowns by the Chinese authorities.[7]

In the late 1990s, a few casinos opened in the golden triangle area close to Yunnan. Located within the fourth special zone in the East of Burma's Shan state, the casinos prompted authorities to respond with the 'Trial Measures for Control of the Casino Industry'. As an example of the impact that the casino industry has had on the region, the once small town of Mongla, close to the China-Burma border, has now become a casino-filled city, increasing government revenue to RMB200,000,000 (USD25,000,000) over the span of five years. The obvious earning potential from mainland gamblers prompted dozens of casinos to open in the Burmese border areas directly opposite Dehong, Ruili, Luxi, Longchuan, Yingjiang, Jiegao, Lincang, Baoshan, Nujiang, and Simao. The casino investors and operators are mainly citizens of Burma, Hong Kong, Taiwan and mainland China. Some Chinese nationals obtain Burmese nationality after opening casinos. Many of the staff at these casinos are Chinese citizens, while most gamblers come from Yunnan, as well as developed areas in China like Sichuan, Guangdong, Zhejiang and Fujian.[8]

Burmese nationals are prohibited from gambling. Therefore, all casino operations are aimed solely at Chinese gamblers. The signs are in Chinese, the staff speak Putonghua, and the currency

changing hands is all in Yuan. The casinos have created numerous job opportunities in the service sector for villages along the Chinese border, catering to the large numbers of Chinese gamblers. Many people from Ruili work selling pornography within the casinos in Burma. Usually, their daily commute involves travelling back and forth across the border.

China has launched a five-month-long special motion on the probation of gambling since 11 January 2005, with foreign-border casinos being their prime target. This has created 'the gambling prohibition storm', the most significant action against illegal gambling since new China's economic reforms. On 5 March 2005, the foreign casinos run by people from Simao in China on the Burmese side of the border were closed, and nearly ten thousand Chinese citizens working in the casinos were repatriated to China.[9]

Undocumented migrant labourers

Undocumented Chinese migrant labourers in Burma are in most cases the victims of deception perpetrated by unscrupulous companies, who promise non-existent jobs in Burma's textile industries. Others are employed in the illegal logging and jade trades that operate in northern Burma. The Burmese tropical rain forest is one of the most bio-diverse areas on the planet and is abundant with natural resources. There exists a large-scale illegal border trade in timber and jade stones between Burma and China. The emerald-green jadeite produced from Burmese mines is of the highest quality and fetches millions on the international market. This has resulted in many Ruili fortune seekers coming to look for the beautiful and expensive jade deep within the Burmese tropical rain forest; this unlawful plundering, along with the illegal lumber trade, is the cause of major deforestation. Many Chinese companies involved in these illegal trades have sought to sign formal contracts with their employees and to pay them relatively high salaries. However, in most cases, the workers do not know that these companies are engaged in the illegal lumber trade in Burma. The workers are often arrested by the Burmese police after working only a short while and are then sent to prison in Burma.

2-4. Chinese in Thailand

Chinese nationals also migrate to Thailand, either in transit en route to a third country or to work in various sectors of the Thai economy. Most seek employment in the construction and service sectors of the Thai economy, including the sex industry. Cases of Chinese migrants being arrested at Thailand's airports for possessing counterfeit travel documents or for working illegally in various parts of the country are commonly reported by the Thai media. It was reported, for example, that Chinese nationals accounted for more than half of the foreigners arrested in 2003 for holding counterfeit passports and attempting to use Thailand as a transit destination to travel to third countries.[10] In January 2005, 57 migrants, 39 of whom were Chinese, were arrested in Nakornprathom. They were charged with unlawfully entering and working in Thailand.[11] In September 2006, the Bangkok police arrested 160 undocumented Chinese migrants working on a government construction site to build affordable housing.[12] In February 2007, Chiang Mai police arrested five undocumented Chinese women migrants working at a Dim Sum restaurant. In yet another case, police arrested 12 Chinese migrants working in a bakery. The immigration authorities have reported an increase in the number of Chinese migrants coming to work in Chiang Mai.[13]

Aside from sporadic news concerning the arrest of Chinese migrants, very little attention has

been given to the actual condition of Chinese migrants working within Thailand.[14] The fact that the registration system in Thailand is only open to migrants from Burma, Lao PDR and Cambodia makes it impossible to uncover official statistics that would provide an accurate picture of Chinese migrants working in Thailand.

Endnotes

[1] MMN & AMC, *Resource Book: Migration in the Mekong Subregion*, p. 150-152p.

[2] *ibid*, p. 153-154.

[3] ILO, "Facts and Figures" in *Better Factories Cambodia Report 2005*. Last accessed on 9 April, 2008 at: <http://www.betterfactories.org/content/documents/Facts%20and%20Figures.pdf>.

[4] World Bank, "Cambodia at a Glance". Last accessed on 1 March 2008 at: <http://devdata.worldbank.org/AAG/khm_aag.pdf> .

[5] ADB, "Southeast Asia: Cambodia" in *Asian Development Outlook 2007*. Last accessed on 1 March 2008 at: <http://www.adb.org/documents/books/ADO/2007/CAM.asp>.

[6] ILO, "Facts and Figures", in *Better Factories Cambodia Report 2005*. Last accessed on 9 April, 2008 at: <http://www.betterfactories.org/content/documents/Facts%20and%20Figures.pdf>

[7] "禁赌风暴" 中的金三角", in *Phoenix TV*. Last accessed on 1 March 2008 at: <http://www.phoenixtv.com/phoenixtv/72941609976594432/20050524/555331.shtml>.

[8] "缅甸赌场:场内全是中国人中国话中国钱(图)" in *qq news*. Last accessed on 1 March 2008 at: <http://news.qq.com/a/20050125/000311.htm>.

[9] See "云南思茅境外赌场全部关闭 近万赌场服务生回国". Last accessed on 1 March 2008 at: <http://www.yunnan.cn/3595/2005/03/12/57@199640.htm>.

[10] *The Nations*, 10 May 2004.

[11] Department of Employment, News on 11 January 2005. Last accessed on 8 April 2008 at: <www.doe.go.th>,

[12] *Inn News*, 27 September 2006.

[13] *Manager Newspaper*, 16 February 2007.

[14] With perhaps the exception of Chinese victims of trafficking for sex work. Such cases have been relatively well documented. See for example, Mahatdhanobol, Vorasakdi, *Chinese Women in the Thai Sex Trade*, Asian Research Center for Migration, Chinese Studies Center, Institute of Asian Studies, Chulalongkorn University, 1998.

Photo Courtesy of Migrant Workers' Education and Action Research Center

A number of Vietnamese women migrate to China and eventually get married.

Overview of Migration: Vietnam

Vietnam is both a sending and receiving country of migrants. There is also a significant trend of internal rural-to-urban migration. Vietnam mainly receives professional migrants, though it is also the destination for a small but not insignificant number of Cambodian migrants, mostly women and children who go to Ho Chi Minh City for the purpose of begging. An unknown number of women are also reportedly trafficked into the country for sex work.

1. Spontaneous Migration to Neighbouring Countries

A large number of Vietnamese migrants is present in Cambodia, with estimates ranging greatly, from as few as 150,000 to more than one million. Many of these migrants come from An Giang, Tay Ninh, Kien Giang, Dong Thap, and Long An provinces. The first wave of migration into Cambodia took place while Vietnam stationed troops in Cambodia during 1979-1988, following the ousting of the genocidal Pol Pot regime. Family members of the first wave of migrants subsequently joined relatives and settled in Cambodia. More recent groups of migrants have crossed the border through unofficial channels to work as construction workers, wood craftsmen,

mechanics, taxi drivers, or sex workers.

Vietnamese people, mostly from the Northern regions of Vietnam such as Ha Giang, Cao Bang, Lang Son, Lao Cai, and Quang Ninh, migrate to the border counties in China to conduct business or to work as labourers. Many of these migrants share the same ethnicity or even kinship with people living in their host villages in China. Women often cross the border through unofficial channels to work as hired agricultural labourers during the harvest seasons, and many eventually marry local men.

While most of these internal-GMS migration flows of Vietnamese citizens are spontaneous, the more visible policies from the Vietnamese government concentrate on the promotion of labour exportation of nationals to countries outside the GMS, with other policies aimed at the prevention of trafficking.

2. Labour Exportation

Vietnam began exporting labour in 1980. At that time, labour exportation from Vietnam was primarily to socialist countries in Eastern Europe, including the Soviet Union, the Democratic Republic of Germany, Czechoslovakia, and Bulgaria.[1] The mechanisms that facilitated the transfer of workers during the 1980s were significantly different from the forms of migration flows taking place in the 1990s and 2000s. In the 1980s, the government signed 'labour cooperation' agreements with former Soviet Block countries, who informed the Vietnamese government of the number of workers needed, areas of work and wage levels. Since the 1990s, however, the recruiting and dispatching of workers has become the role of individual enterprises or recruitment agencies. These enterprises are further responsible for monitoring overseas markets, securing service contracts, and training workers.[2]

The Department for Overseas Labour Management was established under the Ministry of Labour, War Invalids and Social Affairs (MOLISA) to negotiate and to implement labour export agreements. MOLISA is also responsible for granting licenses to recruitment agencies that meet its criteria for supervising their operation. Workers pay service fees and a large deposit to their recruitment agency.

Since the mid-1990s, the Vietnamese government has regarded labour export as one of its key developmental strategies, sending workers to Japan, Republic of Korea, Taiwan, Malaysia, Lao PDR and some Middle Eastern countries. Nearly 150 labour-export businesses operate in Vietnam to send workers principally to Taiwan, Malaysia, South Korea and Japan. In 2006, as many as 80 percent of Vietnamese workers abroad were in one of these four countries.

Vietnam, however, is encountering greater difficulty in its exclusive dependence upon these four markets. In January 2006, Taiwan banned the importation of nurses and domestic workers from Vietnam due to the large number of workers termed 'runaways', who absconded from their original employment. The rate of runaways reportedly reached 45 percent of all Vietnamese migrant workers. Consequently, the number of Vietnamese workers in the country fell from 84,185 in 2005 to 22,784 in 2006. A similar chain of events has taken place in South Korea and Japan, leading the Vietnamese government to fear the permanent loss of the labour-export deals with these traditional destination countries.

Since late 2005, Vietnam has been trying to expand its overseas labour market to include the United States, Italy, Australia, Brazil, Canada, the United Kingdom and countries in the Middle

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East. In 2007, Vietnam was expected to send 10,000-20,000 workers to Qatar, Saudi Arabia and the UAE.[3] Although Vietnam was able to send only ten agricultural workers to the US by the end of 2005, MOLISA sees the U.S. as a potentially strong market and has continued its efforts to promote labour export to this new market in 2006. Furthermore, the government has been working on strengthening relationships with the traditional destination countries by improving the quality of labour and promoting its labour export programs. The government aims to realise its target of exporting 100,000 migrant workers annually by 2010.

Table 1. The Number of Vietnamese Workers Sent through the Labour Exportation Channels to Selected Countries, Type of Jobs, and Average Monthly Income (2006)

Country of destination	Total number of workers	Type of jobs	Average income per month
Taiwan	90,000	Production worker	USD300-500
		Construction worker	
		Boat worker/sailor in the shipping industry	
		Housekeeper	
		Assistant Nurse	
Malaysia	>100,000	Electronic production worker	USD150-200
		Garment worker	
		Construction worker	
		Service	
Republic of Korea	50,000	Production worker	USD450-1,000
(South Korea)		Trainee	
		Agricultural sector worker	
		Worker/sailor in shipping industry	
Japan	19,000	Trainee	USD1,000-1,500
		Electronic production worker	
		Worker/sailor in shipping industry	
United Kingdom	400	Hotel chambermaid	USD1,300-2,500
United States	10	Farmer	USD1,250-1,600
United Arab Emirates	>1,000	Construction worker	USD400-1,000
		Electronic production worker	
		Services, restaurant and hotel staff	
Saudi Arabia	200	Construction worker	USD160-300
		Charwoman	(>USD1,000 for an engineer)

Source: MOLISA, 2006; cited by Dang Nguyen Anh, 2007.

In 2006, a Vietnamese law was drafted at the State level to facilitate work overseas by formalising the process of labour migration. The law entered into force in 2007, and now defines the rights and obligations of recruitment agencies, the relevant government ministries and workers. Migrant workers are required to take language, cultural and vocational training prior to departure. The law also includes punitive measures for both unlicensed recruitment agencies and workers who violate the law, including breaching their contract overseas and running away from their employers. The law seems to be a part of government efforts to increase the Vietnamese workers' competitiveness in the international labour markets.[4] However, such measures can easily lead to the increased vulnerability of migrant workers to practices of labour exploitation by placing them under greater pressure to endure exploitative working conditions.

Another response by the government was to station labour attachés in the nine top labour-export receiving countries to look after the welfare of workers and to assist in resolving disputes in the workplace. The government also increased its oversight of labour export companies and imposed penalties and sanctions against companies that violate existing labour laws and regulations. Vietnam's revised labour code includes provisions that permit workers to negotiate settlement with labour-export companies in cases of fraud or abuse.

3. Migration through Marriage

Thousands of Vietnamese women, mostly poor and uneducated, are leaving the country to marry foreigners, in hopes of improving their lives. According to the Vietnam Women's Union (VWU), since 1998 nearly 87,000 Vietnamese women have married foreigners, and 10,700 women have left the country illegally to do so.[5]

Vietnamese police say that many of the marriages are being arranged through illegal brokerage services and websites. Women also migrate to the Republic of Korea, Taiwan, Malaysia, and China for marriage. Between 2003 and the first quarter of 2005, 31,800 Vietnamese women left the country, 70 percent of whom went to Taiwan. One may also note that that the number of mail-order brides marrying Korean men has unexpectedly increased, according to media reports and information provided by employees of the Departments of Justice in the Mekong Delta. In Bac Lieu province alone, between November 2005 and June 2006, the offices received 1,500 applications for marriage to Koreans, averaging five marriages per day.[6]

Often these offers of marriage are dubious; some women have been reportedly forced into sex work, while others may be treated as domestic workers without pay for their new families. Their problems are made worse by the fact that they are unable to speak the language and do not understand their adopted country's culture and law. Very often, they have difficulty in seeking help or returning home.

According to the Deputy Head of Police, marriage-support centres have been founded in five urban areas to provide advice on married life and information on living abroad to Vietnamese women.[7]

In response to the increased number of Vietnamese women using marriage as a means of migrating abroad, the government has revised a decree on marriage and family concerning foreigners contained in the Law of Marriage and Family. Decree 69/2006/ND-CP, issued on 21 July 2006 to amend various clauses in Decree 68/2002, regulates marriage and adoption between

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A number of business focus on cross border trade and hire Vietnamese workers. Pingxiang District, Quangxi Province, China, 2006.

Vietnamese citizens and foreigners, and between foreigners living in Vietnam. The application and approval procedure now includes the interview of both parties by the Department of Justice and approval by the local authorities. Marriages are deemed unlawful if the interview and examination results reveal that the marriage was organised by illegal matchmakers not acting in accordance with national customs and morals, or if the marriage will result in the trafficking of women for sexual exploitation or other profit-making purposes.

4. Trafficking in Women and Children

Vietnam is a source, transit and destination country for men, women and children trafficked for the purposes of labour or sexual exploitation.[8] Vietnamese women and girls are reportedly trafficked to Cambodia, China, Hong Kong, Macau, Malaysia, Singapore, Thailand, Taiwan, as well as the Czech Republic, Russia, the United Kingdom and the United States, where they are sent for arranged marriages and, more often, exploited for sex work . A large percentage of the Vietnamese women trafficked to Taiwan are deceived by labour-export companies presenting fraudulent offers

of employment or marriage to Taiwanese men. As a destination of human trafficking, Vietnam receives Cambodian children who are forced to work as beggars.

According to UNIAP estimates, 6,000 Vietnamese women and children were trafficked in 2005 alone.[9] They left the country as tourists or migrant workers, and many crossed borders unlawfully, albeit through border gates.[10] Many who were trafficked to Cambodia used fake passports and were eventually sent to such third-country destinations as Thailand, Malaysia and Singapore. Another source estimates that 4,527 women and children were trafficked between 1998 and 2006.[11] In 2004-2005, the government's office crime statistics reported 142 prosecutions and 110 convictions specifically related to trafficking in women and children.

As previously reported, no visible response from the government exists in response to spontaneous labour migration from Vietnam to neighbouring countries, especially to China. On the other hand, the government has been active and responsive to the issue of trafficking. The Deputy Prime Minister signed a National Plan of Action (NPA) against trafficking in July 2004, and the Vietnamese Government signed an MOU on COMMIT along with five other GMS countries in October of that year.[12]

In October 2005, Vietnam signed an agreement with Cambodia on the Bilateral Cooperation for Eliminating Trafficking in Women and Children and Assisting Victims of Trafficking. This MOU identifies the following reasons and purposes behind the trafficking of women and children: prostitution; domestic work (including forced or exploitative domestic labour); child labour; bonded labour; servile marriage; false adoption; sex tourism and entertainment; pornography; begging; dangerous, hazardous and exploitative labour; use in criminal activities; and the use of drugs as a means of enslaving women and children. The MOU identifies preventative measures, such as the protection of victims of trafficking, cooperation in the suppression of trafficking, and repatriation and reintegration. Vietnam has appointed its Ministry of Public Security (MPS) as the institution that will handle the implementation of the MOU while Cambodia has appointed its Ministry of Women's Affairs.

On 14 July 2004, the Prime Minister issued Decision No. 130/2004/QD-TTg, accompanied by the National Program of Action to Prevent and Combat Crimes of Trafficking in Women and Children (2004-2010). The Decree and the National Program aim to strengthen law enforcement and to increase public awareness of the dangers of illegal recruitment linked to human trafficking and smuggling rings. This move was a successor to a government directive of 1997, which aimed to combat the international trafficking of women and children. The National Program consists of eight sections and four major plans submitted through the Ministry of Public Security (MPS) to the Prime Minister for approval.[13] The four major focus areas are (a) strengthening public awareness and education in the community to prevent trafficking of women and children; (b) strengthening anti-trafficking activities; (c) building a legal framework to deal with the issues that arise; and (d) giving more support to the victims of trafficking.

The main government agencies involved in combating trafficking are the Social Evils Department of the MOLISA and the Criminal Police Department of the Ministry of Public Security (MPS), which act in cooperation with the Ministry of Justice, the Vietnamese Women's Union (VWU) and the Border Guards. The Police have taken an increasingly active role in investigating trafficking, including establishing a dedicated anti-trafficking force.[14] In Vietnam, if convicted for trafficking women, an individual may be sentenced to imprisonment for between two and twenty years; for trafficking children, three years to as much as life imprisonment.

Vietnam and Cambodia to crack down on human trafficking

Vietnam and Cambodia are presently conducting a campaign, initiated in July 2006, to boost cross-border anti-trafficking efforts. As part of the campaign and under a cooperation agreement with the Cambodian government, Vietnam is planning to release a list of suspects and crime rings involved in trafficking people from Vietnam to Cambodia.

Cambodia is also committed to defining key areas, suspects, and rings engaged in trafficking. The campaign program involves the United Nations Office on Drugs and Crime (UNODC) as well as the Ministry of Interior of Cambodia and the Ministry of Public Security of Vietnam.

The VWU is active in raising awareness concerning the trafficking of girls from the Southern Delta and highland provinces into China for the purpose of sex work, domestic work or marriage. MOLISA, the VWU, the Youth Union, and the Committee for Population, Family and Children (CPFC), also run active programs aimed at prevention and victim's protection.

Cooperation between the Vietnamese organisations with regional and international agencies

Together with Cambodia, Lao PDR, Thailand and the Yunnan Province of China, the Vietnamese government has worked with the ILO through its Mekong Project to Combat Trafficking in Children and Women since 2000. In the same year, Vietnam ratified ILO Convention No.182 on Eliminating the Worst Forms of Child Labour.

Government agencies are also working closely with the IOM and other international NGOs to provide temporary shelter, medical services, education, credit, counselling and rehabilitation to returned trafficking victims.[15] Other regional and international agencies that carry out anti-trafficking programs include Asia Foundation, Save the Children-UK, UNICEF, OXFAM-Quebec, AusAid, and Union Aid Abroad-APHEDA Mekong.

Endnotes

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[2] Dang Nguyen Anh, "Labour Export from Viet Nam: Issues of Policy and Practice" presented at the 8th International Conference of Asia Pacific Migration Research Network (APMRN), 26-29 May 2007, Fujian, China.

[3] "Vietnam's labor export stronger last year", in *Xinhua*, 12 January 2007. Last accessed on 13 April 2008 at: <http://news.xinhuanet.com/english/2007-01/12/content_5597773.htm>.

[4] See note 2.

[5] Vietnamese Women's Union, presentation during the Conference on The Intermarriage Between Vietnamese Brides and Foreigners, 9-10 June 2006, cited in "Vietnamese women duped into foreign marriages," *Thanh Nien Daily*, 11 June 2006.

[6] *Youth Newspaper* (Tuoi Tre), 11 June 2006, p. 2.

[7] *ibid*.

[8] http://www.humantrafficking.org/countries/vietnam

[9] "6,000 Vietnamese women and children trafficked abroad in 2005," in *People's Daily Online*. 8 March 2006. Cited by UNIAP China.

[10] According to an official at Ho Chi Minh City Children Sponsoring Association.

[11] Information provided at a national workshop on anti-trafficking held on 27 March 2006. Cited in *Labor Journal*, 28 March 2006.

[12] See note 1.

[13] Dang 2006.

[14] US Department of States, *Human Rights Report*, 2004.

[15] *ibid*.