

Report on

Vietnam National Practitioners Forums on (Re)integration
of victims of human trafficking in the Greater Mekong Sub-region
20-22 October, 2010 in Ho Chi Minh city.

Forum overview:

Viet Nam is celebrating 80 year of the Women's Union establishment this month. Recently, the country reviewed five year working and programming in anti-human trafficking nationwide. The Ministry of Justice is in a process to draft up an anti-human trafficking legislation in partnership with many other government agencies and civil society organisations. Therefore, this forum is not only brought nation wide practitioners together to assess the implementation of Regional Guiding Principles on Victim Protection, discuss on (Re)integration of victims of human trafficking, but also an opportunity for consultation on return and reintegration related points in the draft law on human trafficking prevention and suppression of Vietnam.

Vietnam National Practitioners Forums on (Re)integration of victims of human trafficking in the Greater Mekong Sub-region was a joint effort by UNIAP, IOM, WVI, UNICEF, and Save the Children, in collaboration with the relevant government agencies (DSEP/MOLISA; MOJ; Office 130). This forum achieved active discussions, sharing experiences and exchange lesson learns among nationwide practitioners in three day workshop from 20-22 October, 2010 in Ho Chi Minh city, the southern part of Vietnam. The three day event forum included setting of the scene presentations as well as interactive discussions by various stakeholders. In addition, facilitators introduced each key issue (self-returned victims, victim centered approach...) while highlighting international standards, regional guidelines and principles as well as national standards in place.

There were 72 practitioners and participants attended the forum who are from 20 provinces in the north, central and south of Viet Nam (Bac Giang, Ho Chi Minh city, Thanh Hoa, Lao Cai, An Giang, Lang Son, Ha Noi, Can Tho, Quang Ninh...). The forum participants included 14 government officials, leaders and policy makers at central and ministry level, 35 shelters staff and managers, hotlines counsellors, legal aid officers, health care staff, case managers, local NGO staff and volunteers. The participants also included 21 UN and International NGOs program staff and managers, a UNIAP's victim protection consultant and an IOM M&E consultant.

The forum led by a national working group which was set up included Department for Social Evils Prevention (DSEP) under Ministry of Labour, Invalids and Social Affairs, World Vision, UNIAP and IOM. A committee had set up to identify speakers who were providing an overview the first day as well as deciding who facilitated the different sessions and introduced the different topics such as right based and victim centered approaches, monitoring and evaluation in human trafficking program, dealing with special cases, explaining new drafting law of the country.

The national practitioners' forum was organized to aim:

1. Document perspectives from practitioners on the needs of victims of trafficking for effective (re)integration;

2. Practical challenges facing (re)integration service providers documented and training needs for service providers identified;
3. Updates to existing regional and national level minimum standards & guidelines on (re)integration proposed;
4. Exploring which practical tools could improved (re)integration assistance;
5. Consultation on return and reintegration related points in the draft law on human trafficking prevention and suppression of Vietnam.

Summary of the three day Forum Process:

Day 1 (20 October):

Opening: On behalf of the organizers, Ms. Le Thi Ha, DSEP deputy director made an opening remark, she also encouraged all participant pay high attention to the agenda and additional special considerations to the victim support in the community as 20 October is 80 year celebration of establishment of the Women Union in Viet Nam.

DSEP's representative reported on a five year reviewing of the country on the protection and reintegration national program. DSEP urged involvement of NGO, INGO to work with the government to improve victim support, especially support to self-return victims. Additionally the report suggested that there is an urgent need to share best practices to be able to identify good sample and workable model to apply to the community in Vietnam. Some issues raised and recommendations were made in the report are:

There was need to understand and aware of the mindset and hardship of the trafficked victims when they returned.

Most officer and staff in the provinces are lack of knowledge and skills in working with victim of trafficking

Distributions of donors, INGOs and funding concentrated and focused in some provinces. There are many provinces have no financial or INGO/NGO support, either they have no place to support victim.

Lack of program information and inform from the program managers to the DSEP and the other Ministries.

DSEP will need support in their plan to review and revise the decree 17, therefore, officers and workers will have opportunity to work together in a national assessment survey of victim needs, enhance network, coordination and partnerships in this work.

Bac Giang's DoLISA reported on their anti-human trafficking program since 2005 and shared their practical experiences in working with trafficked victims in six Bac Giang self-help groups. Their succeed was focused on the prevention such as worked to with media, coordinated with local Women Union, created and provided IEC materials, mobilized manual, increased movie shows to target groups in the community, established and maintained regular support to the self-help groups.

A representative from local Women's Union at Tien Phong District, Thanh Hoa province shared a community based program on case management for victim of trafficking who are mostly self-returned. The representative is also a partner in World Vision trafficked victim case management program in Thanh Hoa province. The experience shared on setting up a case management group

in each commune included commune leaders, Women Union, Dolisa, police. An agreement on clear tasks and responsibilities was signed and implemented through field visit, regular meeting, case discussion and technical support from World Vision (such as case intake forms, filing and record case, procedure of case management, developed a manual on list of local service providers....). However, the program limited in assisting 13 victims, 1 case had returned to the family successful after few years implemented. There is need to identify more victim and reach more self-return victims for the assistance and improve of the program, especially better mobilize the understanding and support from the local authorities and network with other service providers to receive more cases.

UNIAP Viet Nam made a presentation on shelter tool to assess shelters and services, shared the result of a year program on shelter self-improvement in eight shelters in the north and south of Viet Nam. Copy of the shelter assessment tool delivered to all participants, the tool shared focusing on how to assess mainly shelter facilities, safety and security, health care and psychological support, counseling services, shelter environment and management, staffing and case management, shelter's vision and philosophy.

Group discussion: all participants were divided into six groups (group of ministry officers, the provincial DSEP's officers, INGO and NGO's workers and mixed group of community workers) to discuss on successes and challenges of providing reintegration assistance in the areas of:

- Family and risks assessment, reception into country of origin and referral of victims
- Interim care and protection upon return (shelter care, family based care, independent living arrangements)
- Educating self-returnees and other non-identified victims about services available
- Legal assistance and other support for community acceptance and participation
- Vocational training, employment, income generating activities
- Medical services and psycho-social support.

Here below is summary of the group discussion:

The services provided to returned victim:

- Health care and provide information: Introduced victims to specialized clinic or health facilities, provided HIV test, first aids and health insurance to the victims in the shelter/center.
- Psycho-social support and counseling: Provided direct and indirect counseling in the community, service also used self-help group model.
- Legal aids: Free of charge for any legal service that victim needed (do identification card, advice of foreign marriage, Children birth certificate....)
- Vocational training, employment, income generating activities: focused on traditional livelihood skills in community, provided vocational skills in shelter/center. Some good experiences in mobilizing the loan from banks for the poor and mass organizations.
- Life skill education: helped victim to make economic plan, set goals, training in money management.

“self-returned” and “formally-returned” victims mainly found out about assistance services through IEC materials, victim workshop, orientation of the service staff, introduced services on the national radio, community talk, Women Union, volunteers and Dolisa's network in the community.

Assessment conducted to determined victim's need:

- Build trust and good communication with the victim
- Developed semi-structured questionnaires for the assessment
- Talk directly and indirectly to the victim
- Consider rights to make decision of the victim in determining the needs

How do service providers collect information about returned victims of trafficking?

- Establish working relationship, mutual support, technical support – case sharing, caring for the case workers to reduce stress, know how to collect information, interview skill training...
- Set up networks (email based) to talk and exchange regularly
- Manual on guide & procedure, intake form to collect information of VoT.

Obstacles faced by service provider when providing service to victims:

- Difficult in identifying who are victims and who are not?
- Shelter/center stay for the victim mainly short-term that constrained to delivery of the assistance.
- Challenged in legal aids due to lack of documents, time consuming and no protection program during witness, getting evidence and referring victims.

The gaps of assistance victims are requesting:

- Some reception center/shelters have not enough funding to provide basic needs to the victims, while other program couldn't distribute the fund to victim support due to not enough victim in the program (examples of Lang Son's reception program and World Vision's community based case management program)
- Community workers and officers who work directly with the victim who often have little training, lack of information and supervision that are challenged in addressing the need of the victims.

Recommendation for providing services to returned victims:

- Service providers' community needs to agree in a form and set of victim identification's indicators/factors to guild community workers in victim ID, especially on self-return victims.
- Enhance protection and reintegration skills for social workers, counselors, case workers and volunteers who directly work with the victims who are at district and commune levels.
- Improve service orientation and legal information to the victims, especially in the victim's languages, for example, ethnic minority victims.
- Mobilise more community resources in victim support.

IOM's M & E specialist made a presentation on monitoring and evaluation which included:

Definitions and concepts of monitoring, evaluation and assessment

Why we need to focus and work on monitoring and evaluation?

What need to improve?

IOM strategy in this is working with office 130 to set up to set up a set of national indicators for anti-trafficking programs in Viet Nam, especially in protection and reintegration.

Monitoring: how do you use the resources of the program? Any waste? Any problem in fund distribution? Did you implement all activities? What effect on the results? Assumptions?

Evaluation: Is the program/activities effect to the life of victim, family and society? Did participatory approach apply in working with the victims?

Day 2 (21/Oct)

A DSEP’s representative summarized day 1 of the forum and introduced the program of day 2 as well as expectation in the outcomes of the discussion.

A representative from IOM shared with the forum participants Regional Guiding Principles on Victim Protection which is supplementing the COMMIT Memorandum of Understanding on Cooperation against Trafficking in the Greater Mekong Sub-Region. The presentation focused on the information of the general principles on Identification of Trafficking Victims, Interim Care and Protection, Assessment and Best Interest Determination of (Re)Integration, Return and Reception, Reintegration in the regional guiding principles to ensure individual countries included Viet Nam that are encouraged to promote in the country program and community.

Group discussion: all participants were divided into six groups to discuss on Regional Guiding Principles on Victim Protection and Guidelines on Reintegration implementation and the way forward:

- How current practices are in line with/not in line with international standards and the Regional Guiding Principles?
- What are the remaining gaps and challenges in converting regional guidelines into national reintegration guidelines?
- What would require more harmonisation at the regional level, or be reinforced as a regional principle?

Here below is summary of the group discussion:

Involvement of the victim in their recovery process: There were programs that addressed the need for recovery of the victim, victim’s decisions are respected and they are encouraged in planning their individual plan for recovery. Examples of the involvement of the victim are: they can say no to the interview or assistance, victims have opportunity to share what they want.

The Regional Victim Protection Guidelines incorporated/not incorporated into national reintegration guidelines - summarized in the following table:

Incorporated points	Not incorporated points
<p>Identification of Trafficking Victims:</p> <ul style="list-style-type: none"> • Development of policies, practices and protocols on the timely sharing of information on trafficking victims based on the principle of “informed consent” that ensure privacy and confidentiality of victims. • Ensuring that actions taken in relation to 	<p>Identification of Trafficking Victims:</p> <ul style="list-style-type: none"> • Acceptance of the definition of a child as a person under the age of 18. • National legal framework is extend to the definition of trafficking in persons as contained in the Palermo Protocol (victims are only women and children, not identify

victims are guided by a rights-based and victim-centered approach (identify clear responsibilities and roles in victim ID).

Interim Care and Protection:

- Promote the right to security and protection for all victims of trafficking in close consultation with victims.
- Victims should be informed of the range of services and support options available, and have the right to decline interim care and protection assistance.

Assessment and Best Interest Determination of (Re)Integration:

- National level policies and procedures that ensure reintegration solutions are individually assessed on the basis of the best interests of the victim of trafficking.
- Designation of a focal ministry/department to coordinate between country/place of origin and destination.
- Policies and guidance on the sharing of information on trafficking victims.

Return and Reception:

- Designation of an appropriate agency to serve as a focal point for arranging and coordinating return travel of victims of trafficking with destination/origin countries.
- National-level policies, procedures and minimum standards for gender and age appropriate temporary transit accommodation and services.

Reintegration:

- Reintegration support services that aim to restore a person's sense of self worth, prevent re-trafficking, and contribute to safe and dignified inclusion into society.
- Ensure that returning victims of trafficking have access to and are provided legal advice and support.
- Equal access to support services (and right to refuse such services).
- Provision of ongoing reintegration services to achieve sustainable integration.
- National and bilateral procedures to ensure

victims who are trafficked for labour exploitation).

Interim Care and Protection:

- Develop standardized bilingual intake/interview forms in the language of the country of origin and destination.
- Strict Victim Protection Policies and Procedures and related minimum standards and monitoring mechanisms for all care providers.
- Designated coordinating body, referral networks, multi-skilled teams.

Assessment and Best Interest Determination of (Re)Integration:

- Designation of case manager or case management group.
- Standardized case forms and family assessment procedures at the national level.
- Comprehensive risk and security assessments.

Return and Reception:

- Victims have a choice whether to return directly to their home community, to receive transit support, or to integrate into another community.
- Mechanisms to identify and provide follow-up support to victims who return by themselves.
- Mechanisms to identify and provide follow-up support to victims who return by themselves without having been identified as victims of trafficking in the destination country.

Reintegration:

- Address individual needs identified with the participation of the returnee, by conducting gender, age and culturally sensitive assessments.
- Regular security assessments by law enforcement officials, service providers, local leaders and the community.
- Minimum time frames and standards for regular monitoring and follow up visits are established recognizing that some cases

<p>the secure and confidential handling of case information in the reintegration process, on an “as needed” basis.</p> <ul style="list-style-type: none"> • Victims are provided information about safe and legal migration through reintegration programs. 	<p>may require longer monitoring and follow up, and that “reintegration” is seen as an ongoing process.</p> <ul style="list-style-type: none"> • Development of specialized reintegration support services for child victims.
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UNIAP Viet Nam shared their field experiences in working with shelter partners and network in the community on victim centered approach and approaches the cases with special needs. The following issues were shared and discussed with the practitioners during the presentation:

- Needs of different groups: women, men, children, ethnic minorities, etc
- Addressing stigmatization in return and reintegration and how to assist victim to fight stigma.
- Handling of special cases (victims who decline assistance, HIV/AIDS cases, psychological and behavior disordered cases, mentally ill cases, physically challenged cases, minorities)
- Dealing with trauma of trafficking

Practitioners shared their cases and discussed with UNIAP’s victim protection consultant to resolve their cases and gain practical experiences. Most cases in the field that highly challenged to practitioners were victims who decline assistance, HIV/AIDS cases, psychological and behavior disordered cases and mentally ill cases.

Day 3 (22/Oct)

A DSEP’s representative summarized day 2 of the forum and introduced the program of day 3 as well as expectation in the outcomes of the discussion.

A representative from the Ministry of Justice made a presentation on overview of chapter 3-4 “Victim protection and reintegration” of the country drafting Anti-Trafficking Law.

The participants divided into small groups to discuss on the existing gaps and provide input for the chapter 3-4 of Law on Anti-HT. Comments and input for the law summarized as follow:

- The definition of human trafficking is not clear in the process of human trafficking and it contains no indicators or factors to identify victim of human trafficking.
- The Vietnamese language uses in the law is not suitable for the southern people in some terms, for example, word “mua ban nguoi” should change to “buon ban nguoi”, “che do” to “ho tro”.
- The law should designate who responsibilities for victim identification, suggestion is district level authorities as focal point in this. Communal authorities should refer victim to district level to identify victim, the victim should not identify by the nearest communal authority as in the law stated.
- The policy on putting the victim of trafficking in the same center/shelter with sex workers and drug users (center 05/06) would severely affect to recovery and reintegration of the victim and create more stigma and discrimination that associate with human trafficking.
- The country should establish separate shelters for trafficked person in three areas such as the north, south and central of Viet Nam.

Consultation on return and reintegration related points in the draft law on human trafficking prevention and suppression of Vietnam between practitioners and draft law committees.

Issues had been raised during the forum discussion:

- Challenged in identifying victims of trafficking for assistance.
- Many service providers have not enough funding to provide basic needs to the victims, while other program couldn't distribute the fund to victim support due to problem of victim ID or not able to engage victims in the program.
- "self-returned" have little information or few opportunities to find out about assistance services that are available to them.
- Main obstacles faced by service provider when providing service to victims is lack of skills and human resources in working with trafficked victims.
- Service providers have difficulties in follow-up, monitoring and evaluation the result of the services provided. They don't have tools, forms or indicators guidelines on how are provided services evaluated and determined effective assistance, lack of budget (no transport, travel budget...) for follow up with victims.

Limitations of the forum:

Some practitioners were disappointed due to lack of time during the forum for them to share their practical experiences and little time to give feedback after each presentation. Supervision and discuss the difficult cases, special cases need to set up and give floor to the practitioners to share and exchanges their experiences, lesson learnt and to receive support.

For many practitioners, this is first time to know and learn about existing of the regional guidelines on victim protection, therefore, it is difficult to give their comments and opinions on Impact and Evaluation, Approaching regional guiding principles, either examining the current practices to bring them in line with the COMMIT Guiding Principles on Victim Protection.

Recommendation:

Practitioners forum was a great opportunity for dialog between practitioner and their management to address issues, problem and resolve their challenges in the field that benefit directly to the victim assistance in the community. This forum is better for the future forum and workshop on annual basis to review effectiveness of the services and assistance to the victims, to share practical experiences and lesson learnt in the area of victim protection.

Practitioners' forum was definitely a network for the victim assistant officers, service provider managers and staff, counsellors, social workers, labour officers and law enforcement officials, judges, police, immigration officers at the frontline to handle cases with a high level of complexity. The forum national working group (organisers) will follow-up results of the forum to maintain the network, to support practitioners' community in strengthening their services and assistance to the victim of trafficking by sharing tools, informing policies, updates and exchange ideas, practical experiences. The forum discussion results should also communicate to the international community, policy makers to adjust their strategies in time, for example, refer identified victims but lack of fund for receiving assistance to the program which having fund but lack of victim identify for support.

The future trainings should target more to the district and communal level, especially workers who work directly with victims in the community. Government officers, Provincials officers at the province and district levels who are directly involve in reception, recovery and reintegration of the victims, it is necessary explaining in details participatory approaches, empowerment and victim right based centered approach.

In order to reduce problem and challenge in victim ID, the definition of human trafficking in Vietnamese penal codes need to be better defined. Currently, the MOJ is in a process to draft up an anti-human trafficking legislation that includes a more broadly defined meaning of trafficking. The current definition of human trafficking in Vietnam makes it difficult for the law enforcement officials and judges at the frontline to handle cases with a high level of complexity. This definitional issue has to be resolved in order for the courts and police officers to carry out their jobs more effectively.

The regional guidelines on victim protection need to expand and explain further in concepts, definitions and to add more details and clear indicators to reach the standards given in the guidelines. For examples, some forum practitioners find it is hard to understand what are “minimum standards and monitoring mechanisms for all care providers”, “referral networks and multi-skilled teams”, What is the “best interest”? The term “case managers” is not popular used in the field as in Viet Nam they are often called social workers and counsellors in the field, or “strict protection policies” what level it will consider as “strict”? The guidelines is supplementing of the COMMIT Memorandum of Understanding on Cooperation against Trafficking in the Greater Mekong Sub-Region. However, there were very few practitioners have in hand or know about COMMIT MoUs.

The following is recommended topics for the next practitioner’s forum:

- Sharing experiences and challenges in real cases that relate to reintegration practices in the country.
- Sharing and exchanging tools, practical experiences and good practices in the implementation of national reintegration assistance to victims of trafficking in key areas such as individual recovery plan and reintegration package need assessment.
- Identifying practical tools, interventions that would improve reintegration services that are in line with regional standards.
- Discussing the impact of services provided and exploring possible ways to evaluate reintegration services and monitor reintegration assistance.

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