

(Luật 66/2011/QH12 về phòng, chống mua bán người)

**THE NATIONAL ASSEMBLY**

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**SOCIALIST**

**Independence - Freedom – Happiness**

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**REPUBLIC OF VIET NAM**

No. 66/2011/QH12

*Hanoi, March 29, 2011*

**LAW**

**ON HUMAN TRAFFICKING PREVENTION AND COMBAT**

*Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10;*

*The National Assembly promulgates the Law on Human Trafficking Prevention and Combat.*

**Chapter I**

## GENERAL PROVISIONS

### Article 1. Scope of regulation

This Law provides the prevention, detection and handling of human trafficking acts and other acts in violation of the law on human trafficking prevention and combat: receipt, verification and protection of and support for victims; international cooperation in human trafficking prevention and combat: and responsibilities of the Government, ministries, sectors and localities for human trafficking prevention and combat.

### Article 2. Interpretation of terms

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

1. *Sexual exploitation means* forcing a person to prostitution or to be the subject of a pornographic publication or show or to sexual slavery.
2. *Sexual slavery means* forcing a person, due to his/her dependence, to satisfy the sexual demand of another person.
3. *Forced labor means* using force or threatening to use force or using other tricks to force a person to work against his/her will.
4. *Victim means* a person who is infringed upon by an act specified in Clause 1. 2 or 3. Article 3 of this Law.

### **Article 3. Prohibited acts**

1. Trafficking in persons under Articles 119 and 120 of the Penal Code.
2. Transferring or receiving persons for sexual exploitation, forced labor or removal of human organs or other inhuman purposes.
3. Recruiting, transporting or harboring persons for sexual exploitation, forced labor, removal of human organs or other inhuman purposes or for committing an act specified in Clause 1 or 2 of this Article.
4. Forcing others to commit an act specified in Clause 1. 2 or 3 of this Article.
5. Acting as a broker for others to commit an act specified in Clause 1.2 or 3 of this Article.
6. Taking revenge or threatening to take revenge on victims, witnesses, reporting persons, denunciators or their relatives or persons stopping the acts specified in this Article.
7. Taking advantage of human trafficking prevention and combat activities for self-seeking purposes or for committing unlawful acts.
8. Obstructing the reporting, denunciation and handling of the acts specified in this Article.
9. Stigmatizing or discriminating against victims.
10. Disclosing information on victims without their consent or their lawful representatives'.

11. Impersonating victims.

12. Committing other violations of this Law.

#### **Article 4. Principles of human trafficking prevention and combat**

1. To comprehensively take measures to prevent, detect and handle the acts specified in Article 3 of this Law.

2. To promptly rescue, protect and receive, accurately verify, and support victims. To respect the rights and legitimate interests of victims and neither stigmatize nor discriminate against them.

3. To bring into play the roles and responsibilities of individuals, families, communities, agencies and organizations for human trafficking prevention and combat.

4. To prevent, detect and strictly, promptly and properly handle the acts specified in Article 3 of this Law.

5. To promote international cooperation in human trafficking prevention and combat in accordance with the Constitution and laws of Vietnam and international laws and practices.

#### **Article 5. State policies on human trafficking prevention and combat**

1. Human trafficking prevention and combat are part of the program on prevention and combat of crimes and social evils and are combined in the implementation of other socio-economic

development programs.

2. To encourage domestic and overseas agencies, organizations and individuals to participate and cooperate in and finance activities to prevent and combat human trafficking and support victims: to encourage domestic individuals and organizations to set up victim support establishments under law.

3. To commend and reward agencies, organizations and persons with outstanding performance in human trafficking prevention and combat: to ensure regimes and policies under law for persons who die or suffer health or property damage when participating in human trafficking prevention and combat activities.

4. The State shall annually allocate budget funds for human trafficking prevention and combat work.

#### **Article 6. Rights and obligations of victims**

1. To request competent agencies, organizations or persons to take measures to protect them or their relatives when they have or are threatened to have their life, health, honor, dignity or property infringed upon.

2. To receive support and protection under this Law.

3. To be compensated for damage under law.

4. To provide information relating to violations of the law on human trafficking prevention and combat to competent agencies, organizations and persons.

5. To comply with requests made by competent authorities concerning human trafficking cases.

## Chapter II

### HUMAN TRAFFICKING PREVENTION

#### **Article 7. Information, communication and education about human trafficking prevention and combat**

1. Information, communication and education about human trafficking prevention and combat aim to raise awareness and responsibilities of individuals, families, agencies, organizations and communities for human trafficking prevention and combat; to enhance their vigilance against human trafficking and active participation in human trafficking prevention and combat.

2. Information, communication and education cover:

a/ Policies and laws on human trafficking prevention and combat;

b/ Tricks and harms of the acts specified in Article 3 of this Law;

c/ How to behave in cases suspected of human trafficking;

d/ Measures for and experience in human trafficking prevention and combat:

e/ Responsibilities of individuals, families, agencies and organizations for human trafficking prevention and combat:

f/ Anti-stigmatization and discrimination against victims;

g/ Other contents related to human trafficking prevention and combat.

3. Information, communication and education are carried out through:

a/ Face-to-face meetings and talks;

b/ Provision of written materials;

c/ The mass media;

d/ Activities at educational institutions:

e/ Literary, arts, community and other cultural activities:

f/ Other lawful forms.

4. To develop a network of grassroots communicators: to mobilize active participation of mass and social organizations.

5. To increase information, communication and education for women, young people, teenagers, children, pupils, students and inhabitants of border, island, deep-lying and remote areas, areas with socio-economic difficulties and areas with lots of human trafficking cases.

### **Article 8. Counseling on human trafficking prevention**

1. To provide legal knowledge on human trafficking prevention and combat.
2. To provide information on human trafficking tricks and train in behaviors in cases suspected of human trafficking.
3. To provide information on rights and obligations of victims and perform how to perform these rights and obligations.

### **Article 9. Management of security and order**

1. To monitor demographic and household registration status through residence administration, increasingly examine permanent and temporary residence, stay and temporary absence status in localities.
2. To supervise persons with previous criminal records on human trafficking and others showing signs of committing the acts specified in Clauses 1. 2. 3. 4 and 5. Article 3 of this Law.
3. To effectively manage and use information on personal archives, identity and judicial records in service of human trafficking prevention and combat.
4. To increase patrol and combat at border gates, in border and island areas and at sea to promptly detect and stop the acts specified in Clauses 1. 2. 3, 4 and 5. Article 3 of this Law.
5. To furnish technical devices at international border gates for identifying persons and promptly



and precisely detecting forged papers and documents: to upgrade control and inspection equipment and devices at control posts and border gales.

6. To manage the grant of personal and entry-exit papers: to apply advanced technologies to making, granting, managing and controlling personal and entry-exit papers.

7. To coordinate with functional agencies of bordering countries in border patrol and control in order to prevent, detect and stop the acts specified in Clauses 1. 2. 3, 4 and 5. Article 3 of this Law.

### **Article 10. Management of business and service activities**

Support in marriage between Vietnamese citizens and foreigners: child adoption, job recommendation, sending of Vietnamese workers or learners abroad, recruitment of foreigners to work in Vietnam, cultural and tourist services and other conditional business and service activities vulnerable to abuse must be regular} and closely managed and inspected to promptly detect and stop the abuse of these activities to commit the acts specified in Clauses 1. 2. 3. 4 and 5. Article 3 of this Law.

### **Article 11. Incorporation of human trafficking prevention into socio-economic development programs**

The Government, ministries, sectors and localities should incorporate human trafficking prevention into programs on prevention and combat of crimes and social evils, vocational training, employment generation, poverty reduction, gender equality and child protection, program for the advancement of women and other socio-economic development programs.

### **Article 12. Human trafficking prevention by individuals**

1. To participate in human trafficking prevention activities.

2. To promptly report and denounce the acts specified in Article 3 of this Law.

### **Article 13. Human trafficking prevention by families**

1. To provide family members with information on human trafficking tricks and human trafficking prevention and combat measures.

2. To collaborate with schools, agencies, organizations and mass and social organizations in human trafficking prevention and combat.

3. To care for and assist victim family members to integrate into families and communities.

4. To encourage victim family members to cooperate with competent agencies in human trafficking prevention and combat.

### **Article 14. Human trafficking prevention by schools and educational and training institutions**

1. To closely manage learning and other activities of pupils, students and trainees.

2. To carry out extra-curricular activities to communicate and educate about human trafficking prevention and combat appropriate to each educational level and discipline.

3. To create favorable conditions for victim pupils, students and trainees to follow general education or vocational training and integrate into the community.

4. To coordinate with families, agencies and organizations in taking measures to prevent and combat human trafficking.

#### **Article 15. Human trafficking prevention at business and service organizations and establishments**

1. Organizations and establishments doing business or providing services in marriage between Vietnamese citizens and foreigners, child adoption, job recommendation and sending of Vietnamese workers and trainees abroad, recruitment of foreigners to work in Vietnam, cultural and tourist services and other conditional business and service activities vulnerable to abuse for committing the acts specified in Clauses 1, 2, 3, 4 and 5, Article 3 of this Law, shall:

a/ Sign labor contracts with employees; register employees with local labor management agencies;

b/ Get information on those receiving their services and report it to competent authorities at their request for coordinated management;

c/ Commit to observing the law on human trafficking prevention and combat;

d/ Coordinate with and create conditions for competent agencies to inspect and examine their activities.

2. Employees of the business and service establishments specified in Clause 1 of this Article shall observe regulations on residence administration and commit not to violating the law on human trafficking prevention and combat.

#### **Article 16. Human trafficking prevention by mass media agencies**

1. To promptly and accurately cover policies and laws on human trafficking prevention and combat; to truthfully reflect the situation of human trafficking and human trafficking prevention and combat; to praise persons with outstanding performance in human trafficking prevention and combat and effective models of human trafficking prevention and combat.

2. To keep confidential information on victims.

3. To incorporate human trafficking prevention and combat into other information, communication programs.

**Article 17. Human trafficking prevention by the Vietnam Fatherland Front and its member organizations**

1. To organize, and coordinate with concerned agencies and organizations in, public information work to disseminate policies and laws on human trafficking prevention and combat; to mobilize people to observe the law on human trafficking prevention and combat and actively detect, report, denounce and stop the acts specified in Article 3 of this Law.

2. To recommend to competent state agencies necessary measures to prevent, detect and handle the acts specified in Article 3 of this Law.

3. To counsel on human trafficking prevention and combat.

4. To participate in vocational training, employment generation and other support activities to assist victims to integrate into the community.

5. To oversee the observance of the law on human trafficking prevention and combat.

### **Article 18. Human trafficking prevention by the Vietnam Women's Union**

1. To conduct communication and education to mobilize women and children to raise their sense of observance of the law on human trafficking prevention and combat.
2. To develop a network of grassroots communicators for human trafficking prevention and combat.
3. To perform the responsibilities provided in Article 17 of this Law.

## **Chapter III**

### **DETECTION AND HANDLING OF VIOLATIONS OF THE LAW ON HUMAN TRAFFICKING PREVENTION AND COMBAT**

#### **Article 19. Reporting and denouncing violations**

1. Individuals shall report and denounce the acts specified in Article 3 of this Law to police offices and People's Committees of communes, wards and townships (below referred to as commune-level People's Committees) or to any agencies or organizations.
2. Agencies or organizations which detect or receive information on the acts specified in Article 3 of this Law shall process such information according to their competence or promptly report it to competent agencies under law.

#### **Article 20. Detecting violations through examination and inspection**

1. An agency or organization shall regularly examine the performance of its own functions and tasks, when detecting an act specified in Article 3 of this Law, it shall handle such act according to its competence, or propose to handle it under law.

2. A competent agency or organization which detects through examination or inspection an act specified in Article 3 of this Law shall handle such act according to its competence or propose to handle it under law.

**Article 21. Detecting and stopping violations through professional crime prevention and combat**

Agencies, units and persons under the People's Police and the People's Army assigned to prevent and combat human trafficking shall:

1. Assume the prime responsibility for, and coordinate with concerned agencies and units in, detecting, stopping and handling the acts specified in Clauses 1. 2, 3. 4 and 5. Article 3 of this Law in areas assigned to them:

2. Take professional reconnaissance measures under law to detect and stop the acts specified in Clauses 1. 2, 3, 4 and 5. Article 3 of this Law;

3. Request individuals, agencies and organizations to provide related information and documents for detecting, investigating and handling the acts specified in Clauses 1. 2, 3, 4 and 5. Article 3 of this Law;

4. Take necessary measures to protect victims, reporting persons and witnesses and their relatives when these persons have or are threatened to have their life, health, honor, dignity or property infringed upon.

## **Article 22. Processing reported information on and denunciations about violations**

1. Reported information on human trafficking crimes shall be processed under the Criminal Procedure Code.
2. Denunciations about violations of the law on human trafficking prevention and combat shall be settled under the law on denunciations.

## **Article 23. Handling violations**

1. A person who commits an act specified in Article 3 of this Article shall, depending on the nature and severity of his/her violation, be administratively handled or examined for penal liability. If causing damage, he/she shall compensate under law.
2. A person who takes advantage of his/her position or powers to cover up, tolerate, improperly handle or not to handle the acts specified in Article 3 of this Law shall, depending on the nature and severity of his/her violation, be disciplined or examined for penal liability. If causing damage, he/she shall compensate under law.
3. A person who impersonates a victim shall, apart from being handled under law, repay the funds he/she has received as a victim.

## **Chapter IV**

### **RECEIPT, VERIFICATION AND PROTECTION OF VICTIMS**

#### **Section I: RECEIPT AND VERIFICATION OF VICTIMS**

## **Article 24. Receipt and verification of domestically trafficked victims**

1. A victim or his/her lawful representative may report on his/her trafficking to the commune-level People's Committee of the nearest locality or the nearest agency or organization. The receiving agency or organization shall promptly send this person to the commune-level People's Committee of the locality in which it is headquartered. The commune-level People's Committee shall promptly report such to the district-level Labor, War Invalids and Social Affairs Division. When necessary, the receiving commune-level People's Committee shall provide support to meet essential needs of the victim.
2. Within 3 days after receiving a notice of a commune-level People's Committee, a district level Labor, War Invalids and Social Affairs Division shall receive and assist the victim and coordinate with the police office of the same level in checking initial information on the victim when such person does not have any papers and documents specified in Article 28 of this Law.
3. After receiving the victim, based on the papers and documents specified in Article 28 of this Law or verifications on the victim, the district level Labor, War Invalids and Social Affairs Division shall consider paying travel expenses for the victim to return to his/her place of residence by himself/herself. For a child victim, it shall notify a relative to receive the victim or assign a person to take the victim to his/her place of residence. For a victim who needs medical or psychological care and wishes to stay at a social security or victim support establishment or who is a helpless child, it shall carry out procedures to transfer the victim to the social security or victim support establishment. For a person who does not have papers or documents proving he/she is a victim, the district-level Labor, War Invalids and Social Affairs Division shall request the police office of the same level to make verification.
4. Within 20 days after receiving a request of the district-level Labor, War Invalids and Social Affairs Division, the district-level police office shall make verification and issue a written reply to the former. For a complicated case, the verification duration may be extended, but for not more than 2 months. If having sufficient grounds to determine the person as victim, the verifying agency shall grant a certificate of victim to such person.

## **Article 25. Receipt and verification of rescued victims**



1. The police office, border guard or marine police which has rescued a victim shall provide support to meet essential needs of the victim when necessary and promptly send him/her to the district-level Labor, War Invalids and Social Affairs Division of the locality near the place the victim is rescued.

The rescue agency shall grant a certificate of victim to the rescued person before the transfer. When the rescued person has not been certified as victim due to lack of grounds, the district-level Labor, War Invalids and Social Affairs Division shall request the police office of the same level to make verification under Clause 4, Article 24 of this Law.

2. After receiving the victim, the district-level Labor, War Invalids and Social Affairs Division shall comply with Clause 3, Article 24 of this Law. If the rescued person has not been certified as victim by the rescue agency, before paying travel expenses or transferring him/her to a social security or victim support establishment, the district-level Labor, War Invalids and Social Affairs Division shall coordinate with the police office of the same level in checking initial information on such person.

## **Article 26. Receipt and verification of victims returning from abroad**

1. The receipt and verification of a victim returning from abroad through an overseas Vietnamese diplomatic mission, consulate or another agency authorized to perform consular functions (below referred to as overseas Vietnamese representative agency) are conducted as follows:

a/ The overseas Vietnam representative agency shall receive and process information and documents on the victim and coordinate with the Ministry of Public Security in verifying the victim, grant necessary papers and carry out procedures to send him/her home;

b/ The competent agency of the Ministry of Public Security or the Ministry of National Defense shall receive the victim and pay travel and food expenses for him/her to return to his/ her place of residence by himself/herself, and guide the victim in carrying out procedures to receive the supports provided in Articles 34 thru 38 of this Law. If the victim has no place of residence or

wishes to stay at a social security or victim support establishment, it shall transfer the victim to such establishment. For a child victim, it shall notify a relative to receive the victim or assign a person to take the victim to the relative's place of residence. If the victim is a helpless child, it shall carry out procedures to transfer the victim to a social security or victim support establishment.

2. The receipt of a victim who is trafficked abroad and fully meets the conditions to return Vietnam under a bilateral international agreement complies with that agreement.

3. The receipt and verification of a victim who is trafficked abroad and returns home by himself/herself complies with Article 24 of this Law.

#### **Article 27. Bases for identifying victims**

1. A person may be identified as victim when:

a/ He/she is trafficked or transferred or received under Clause 1 or 2. Article 3 of this Law; or

b/ He/she is recruited, transported or harbored under Clause 3, Article 3 of this Law.

2. The Government shall detail Clause 1 of this Article.

#### **Article 28. Papers and documents proving victims**

1. Certificates of police offices of rural districts, urban districts, towns and provincial cities provided in Clause 4. Article 24 of this Law.

2. Certificates of rescue agencies provided in Article 25 of this Law.

3. Certificates of investigation agencies, agencies assigned to conduct investigation. People's Procuracies and People's Courts.

4. Papers and documents proving victim status issued by foreign authorities which are consularly legalized by overseas Vietnamese representative agencies or the Vietnamese Ministry of Foreign Affairs.

## **Section 2 PROTECTION OF VICTIMS**

### **Article 29. Rescue and protection of victims**

When having grounds to believe that a person is trafficked, an agency, unit or person specified in Article 21 of this Law shall take necessary measures to rescue that person. When that person has or is threatened to have his/her life, health, honor, dignity or property infringed upon, protection measures shall be taken.

### **Article 30. Safety protection of victims and their relatives**

1. Safety protection measures for victims and their relatives include:

a/ Providing temporary shelter for victims and their relatives when they are threatened to have their life or health infringed upon;

b/ Keeping confidential places of residence, working and learning of victims and their relatives;

c/ Measures to prevent acts of infringing upon or threatening to infringe upon the life, health, honor, dignity and property of victims and their relatives under law;

d/ Other protection measures under the criminal procedure law.

2. The Government shall detail the safety protection of victims and their relatives.

### **Article 31. Protection of confidentiality of information on victims**

1. Agencies, organizations and individuals shall keep confidential information on victims, unless otherwise provided by law.

2. Courts shall consider and decide on behind-closed-door trial of human trafficking cases at the request of victims or their lawful representatives.

## **Chapter V**

### **SUPPORT FOR VICTIMS**

#### **Article 32. Support beneficiaries and regimes**

1. Victims who are Vietnamese citizens or stateless persons permanently residing in Vietnam may, depending on the cases specified in Articles 33 thru 38 of this Law, enjoy the following regimes:

a/ Support to meet essential needs and for travel expenses;

b/ Medical support:

c/ Psychological support;

d/ Legal aid;

e/ Support in general education and vocational training:

f/ Initial difficulty allowance, support in loan borrowing.

2. Victims who are foreigners trafficked in Vietnam may, depending on the cases specified in Articles 33 thru 36 of this Law, enjoy the supports specified at Points a. b. c and d. Clause 1 of this Article.

3. Accompanying minors of victims may. depending on the cases specified in Articles 33, 34 and 35 of this Law, enjoy the supports specified at Points a. b and c. Clause 1 of this Article.

4. The Government shall detail support regimes and the order and procedures for providing supports to victims.

### **Article 33. Support to meet essential needs and for travel expenses**

When necessary, victims may be provided with temporary shelter, clothes, food and other essential personal articles based on practical conditions and the age, gender and health status of victims. Victims who wish to return to their places of residence but cannot afford travel and food expenses may receive support for these expenses.

#### **Article 34. Medical support**

During their stay at social security or victim support establishments, victims who need healthcare for recovery may be considered for receiving support for healthcare expenses.

#### **Article 35. Psychological support**

Victims may receive support for psychological stabilization during their stay at social security or victim support establishments.

#### **Article 36. Legal aid**

1. Victims may receive legal counseling to avoid being trafficked again and legal aid to register residence and civil status, receive supports, claim compensation, participate in judicial proceedings and carry out other legal procedures related to human trafficking cases.

2. The order and procedures for legal aid comply with the law on legal aid.

#### **Article 37. Support in general education and vocational training**

1. Victims who are minors of poor households and continue their schooling may be provided with school fees and expenses for textbooks and learning aids in the first school year.

2. Victims returning to their localities who are members of poor families may be considered for vocational training support.

### **Article 38. Initial difficulty allowance and loan borrowing support**

1. Victims who are members of poor households returning to their localities may receive a lump-sum initial difficulty allowance.
2. Victims who wish to take loans for production and business may be considered and created conditions for taking loans under law.

### **Article 39. Victim support agencies and organizations**

1. Commune-level People's Committees which receive victims and police offices, border guard and marine police which rescue victims shall provide support to meet essential needs of victims.
2. District-level Labor, War Invalids and Social Affairs Divisions shall support travel expenses for victims who return home by themselves.
3. Social security and victim support establishments shall provide support to meet essential needs of and psychological and medical support for victims.
4. State legal aid centers and organizations engaged in legal aid shall provide legal aid for victims.
5. Provincial-level Labor, War Invalids and Social Affairs Departments shall provide initial difficulty allowances for victims: and coordinate with provincial-level Health Departments and Education and Training Departments in providing medical support and general education and vocational training support for victims.

## **Article 40. Social security and victim support establishments**

1. Public social security establishments shall provide the following supports to victims:

a/ Receiving and providing lodging for victims:

b/ Providing support to meet essential needs and medical and psychological support suitable to the age, gender and expectations of victims and the establishments' capacity;

c/ Training in living skills and providing vocational orientations for victims:

d/ Assessing victims' ability to integrate into the community: providing information on support policies, regimes and services for victims in the community:

e/ Providing necessary information for functional agencies to prevent and tight the acts specified in Article 3 of this Law:

f/ Coordinating with concerned agencies in sending victims to their places of residence:

g/ Coordinating with police offices in verifying, victims.

2. Victim support establishments shall be set up by Vietnamese organizations or individuals to perform the jobs specified in Clause 1 of this Article in accordance With their establishment licenses. The setting up and operations of these establishments are not funded by the state budget.



The Government shall specify conditions, order and procedures for setting up victim support establishments.

## **Chapter VI**

### **RESPONSIBILITIES OF THE GOVERNMENT. MINISTRIES. SECTORS AND LOCALITIES FOR HUMAN TRAFFICKING PREVENTION AND COMBAT**

#### **Article 41. State management responsibilities for human trafficking prevention and combat**

1. The Government shall uniformly perform the state management of human trafficking prevention and combat.
2. The Ministry of Public Security shall assist the Government in performing the state management of human trafficking prevention and combat and perform the tasks and powers provided in Article 42 of this Law.
3. The Ministry of National Defense, the Ministry of Labor, War Invalids and Social Affairs, the Ministry of Health, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Culture, Sports and Tourism, the Ministry of Education and Training, the Ministry of Information and Communications and other ministries and ministerial-level agencies shall, within the ambit of their tasks and powers, coordinate with the Ministry of Public Security in performing the state management of human trafficking prevention and combat, and perform the tasks and powers under Articles 43 thru 50 of this Law and related laws.
4. People's Committees of all levels shall, within the ambit of their tasks and powers, perform the state management of human trafficking prevention and combat in their localities and perform the tasks and powers provided in Article 52 of this Law.

## **Article 42. Responsibilities of the Ministry of Public Security**

1. In performing the state management of human trafficking prevention and combat, the Ministry of Public Security shall:

a/ Propose the Government to elaborate and improve the law on human trafficking prevention and combat and sign or accede to treaties concerning human trafficking prevention and combat;

b/ Formulate and propose competent agencies to promulgate or promulgate according to its competence legal documents, programs and plans on human trafficking prevention and combat;

c/ Assume the prime responsibility for, and coordinate with concerned ministries and sectors and direct provincial level People's Committees in. implementing legal documents, programs and plans on human trafficking prevention and combat;

d/ Assume the prime responsibility for, and coordinate with concerned agencies and organizations in. promulgating and implementing regulations on training and retraining of personnel in charge of human trafficking prevention and combat;

e/ Assume the prime responsibility for, and coordinate with concerned agencies and organizations in. making statistical reports on human trafficking prevention and combat; summarize practical experience in and expand models of human trafficking prevention and combat;

f/ Inspect and examine the implementation of the law on human trafficking prevention and combat;

g/ Carry out international cooperation in human trafficking prevention and combat according to its competence.

2. In preventing and combating human trafficking, the Ministry of Public Security shall:

a/ Arrange forces to prevent and combat human trafficking;

b/ Manage security and order to prevent human trafficking;

c/ Direct police offices in receiving, verifying and supporting victims under Articles 24, 25 and 26 of this Law;

d/ Launch campaigns for all people to participate in the crime prevention, detection and combat to maintain social order and safety.

### **Article 43. Responsibilities of the Ministry of National Defense**

1. To assume the prime responsibility for. and coordinate with concerned ministries and sectors in. conducting information, communication work to mobilize inhabitants of border areas and islands to participate in human trafficking prevention and combat activities.

2. To direct border guard and marine police forces in preventing and combating human trafficking in border areas and at sea under law. to receive and support victims under Articles 25 and 26 of this Law.

3. To manage security and order in border areas and islands and at sea to prevent human trafficking.

4. To carry out international cooperation in human trafficking prevention and combat according

to its competence.

#### **Article 44. Responsibilities of the Ministry of Labor, War Invalids and Social Affairs**

1. To formulate and propose competent authorities to promulgate victim support policies; to guide victim support measures according to its competence.
  
2. To manage, guide, examine and inspect victim support activities.
  
3. To direct the incorporation of human trafficking prevention and combat into programs on poverty reduction, vocational training, employment generation, social evil prevention and combat, gender equality and child protection.
  
4. To guide social security and victim support establishments in supporting victims.
  
5. To coordinate with the Ministry of Health and the Ministry of Education and Training in supporting victims in health, general education and vocational training.
  
6. To manage, guide, examine and inspect activities related to job recommendation, sending of Vietnamese workers abroad and recruitment of foreigners to work in Vietnam to prevent and combat the abuse of these activities for human trafficking.
  
7. To carry out international cooperation in human trafficking prevention and combat according to its competence.

#### **Article 45. Responsibilities of the Ministry of Health**

To direct and guide health establishments in coordinating with social security and victim support establishments in providing medical support for victims.

#### **Article 46. Responsibilities of the Ministry of Foreign Affairs**

1. To direct and guide overseas Vietnamese representative agencies in protecting Vietnamese citizens who are trafficked abroad: to coordinate with competent Vietnamese and foreign agencies in making verifications and carrying out necessary procedures to send Vietnamese victims home.

2. To coordinate with the Ministry' of Public Security and other competent agencies in carrying out international cooperation in human trafficking prevention and combat.

#### **Article 47. Responsibilities of the Ministry of Justice**

1. To coordinate with the Ministry of Public Security and concerned agencies in formulating, improving, and monitoring the implementation of, the law on human trafficking prevention and combat.

2. To organize and guide the popularization of and education about the law on human trafficking prevention and combat.

3. To manage, guide, examine and inspect marriage support and child adoption activities in order to prevent and combat the abuse of these activities for human trafficking.

4. To guide state legal aid centers and organizations engaged in legal aid in providing legal aid for trafficking victims under law.

5. To coordinate with the Ministry of Public Security and other competent agencies in carrying out international cooperation in human trafficking prevention and combat.

#### **Article 48. Responsibilities of the Ministry of Culture, Sports and Tourism**

1. To direct the incorporation of human trafficking prevention and combat into cultural, tourist and family programs.

2. To manage, guide, examine and inspect domestic and overseas tourist activities, activities of tourist lodging and tourist service establishments in order to prevent and combat the abuse of these activities for human trafficking.

3. To organize and guide information, communication on human trafficking prevention and combat and in business activities of tourist lodging and tourist service establishments.

#### **Article 49. Responsibilities of the Ministry of Education and Training**

1. To direct the incorporation of knowledge on human trafficking prevention and combat into extra-curricular programs appropriate to each education level and discipline and communication on and education about human trafficking prevention and combat for pupils, students and trainees.

2. To direct schools and other educational institutions of the national education system in performing the tasks provided in Article 14 of this Law.

3. To manage, guide, examine and inspect the sending of trainees abroad in order to prevent and combat the abuse of this activity for human trafficking.

## **Article 50. Responsibilities of the Ministry of Information and Communications**

1. To direct mass media agencies in performing the tasks provided in Article 16 of this Law.
2. To closely manage and regularly examine and inspect Internet service providers in order to prevent and combat the abuse of this service for human trafficking.

## **Article 51. Responsibilities of People's Procuracies and People's Courts 1. People's Procuracies and People's Courts shall, within the ambit of their functions, tasks**

and powers, promptly and strictly handle violations of the law on human trafficking prevention and combat: and coordinate with concerned agencies and organizations in preventing and combating human trafficking.

2. The Supreme People's Procuracy shall make statistics on human trafficking crimes.

## **Article 52. Responsibilities of People's Committees of all levels**

1. Within the ambit of their functions, tasks and powers. People's Committees of all levels shall:

a/ Incorporate human trafficking prevention and combat into socio-economic development programs;

b/ Organize human trafficking prevention and combat work;

c/ Allocate budget funds for human trafficking prevention and combat:

d/ Promptly and strictly handle violations of the law on human trafficking prevention and combat;

e/ Manage security and order to prevent and combat human trafficking.

2. In addition to the responsibilities provided in Clause I of this Article, commune-level People's Committees shall:

a/ Assume the prime responsibility for, and coordinate with commune-level Vietnam Fatherland Front Committees and their member organizations in, organizing and facilitating the counseling on human trafficking prevention and combat at grassroots level;

b/ Receive and support victims under Clause 1, Article 24 of this Law:

c/ Create conditions for victims to integrate into the community.

## **Chapter VII**

### **INTERNATIONAL COOPERATION IN HUMAN TRAFFICKING PREVENTION AND COMBAT**

#### **Article 53. International cooperation principles**

The Vietnamese State implements the policy on international cooperation in human trafficking prevention and combat on the principles of equality, voluntariness and respect for independence and sovereignty.



#### **Article 54. International cooperation**

1. Pursuant to this Law and related treaties to which the Socialist Republic of Vietnam is a contracting party, competent Vietnamese agencies shall cooperate with concerned agencies of other countries, international organizations and foreign organizations and individuals in improving legal capacity, communication, technology and training in human trafficking prevention and combat.

2. Coordination among concerned agencies of Vietnam and other countries in settling human trafficking cases complies with treaties to which the Socialist Republic of Vietnam is a contracting party.

When Vietnam and an involved country are not concurrently contracting parties to a treaty, competent Vietnamese agencies shall carry out international cooperation on the reciprocity principle and in accordance with Vietnamese laws and international laws and practices.

#### **Article 55. International cooperation in rescue and repatriation of victims**

1. The Vietnamese State shall create conditions for Vietnamese functional agencies to cooperate with concerned foreign agencies in rescuing and protecting victims.

2. The Vietnamese State shall create favorable conditions for foreign victims to repatriate to their countries of citizenship or countries of last residence; and take measures to ensure repatriation of victims in accordance with law and treaties between Vietnam and other countries and assure safety of life, health, honor and dignity of victims.

#### **Article 56. Mutual legal assistance**

Mutual legal assistance between Vietnam and an involved country complies with treaties to which Vietnam and that country are contracting parties or the reciprocity principle in accordance

with Vietnamese laws and international laws and practices.

The Vietnamese State shall prioritize mutual legal assistance in human trafficking prevention and combat to countries which sign bilateral agreements with Vietnam.

## **Chapter VIII**

### **IMPLEMENTATION PROVISIONS**

#### **Article 57. Effect**

This Law takes effect on January 1, 2012.

#### **Article 58. Implementation guidance**

The Government shall detail articles and clauses of this Law as assigned; and guide other necessary contents of this Law to meet state management requirements.

*This Law was passed on March 29, 2011, by the XII<sup>th</sup> National Assembly of the Socialist Republic of Vietnam at its 9th session. -*

**CHAIRMAN OF THE NATIONAL ASSEMBLY**

**Nguyen Phu Trong**