



Bundeskriminalamt

KRIMINALISTISCHES
INSTITUT

New findings of criminalistic and criminological research

RESEARCH REPORT

Human trafficking and exploitation of Vietnamese nationals in Germany

Literature and secondary analysis –

Executive summary

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Preliminary remarks

The Criminalistic Institute is the criminalistic-criminological research institute of the Bundeskriminalamt. Together, scientists and detective officers work on deepening the knowledge of the scope and causes of crime and the methods employed by criminals.

The purpose of the format "New findings of criminalistic-criminological research" ("KKF-Aktuell") is to render the results of the work of the Criminalistic Institute useful for practical police work in a timely and client-oriented manner. The format's contents are intended to contribute to expanding the knowledge basis available for developing and updating crime strategy/crime prevention policies and measures and to providing the empirical data to support this knowledge basis.

Research reports reflect the results and police work-specific relevance of studies carried out by the Criminalistic Institute. Monitoring reports, in contrast, contain the essential results of external studies relating to a topic relevant from a police perspective and assess those results as to their relevance to police work.

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1 Introduction and aim

The motives for immigration of the Vietnamese community in Germany are heterogeneous, as are the immigration channels that are used. While cultural and historical aspects and the largely successful integration of this minority – the press refers to Vietnamese nationals in the West as "integration marvels" – have been researched quite extensively, information on trafficking in and exploiting Vietnamese nationals in Germany has only recently moved more into the focus of the public and the security authorities.

In view of the intelligence available in some of Germany's neighbouring countries and at Europol, and based on intelligence available for Germany, it can be assumed that the cases of trafficking in and exploiting Vietnamese nationals in Germany are of greater significance than has so far been taken account of in the police crime statistics and the description of the situation in, for example, the national situation reports on human trafficking and organised crime. According to our police crime statistics, in the period 2018–20 there were a total of seven suspects involved in human trafficking pursuant to section 232 of the German Penal Code, four suspects involved in forced prostitution pursuant to section 232a of the Penal Code and two suspects involved in exploitation of labour pursuant to section 233 of the Penal Code. The national situation reports on human trafficking and exploitation for the same period list nine Vietnamese victims and four Vietnamese suspects of exploitation of labour for 2018 and 13 Vietnamese victims of sexual exploitation for 2020. The areas of activity of the 27 Vietnamese OC groups identified in the national situation reports on organised crime for the period 2018–20, comprising a total of 169 suspects (facilitation of illegal entry, trafficking in narcotic drugs, theft-type property offences, withholding and embezzlement of wages, employment of persons not holding a work permit, withholding social security contributions), might possibly be linked to human trafficking and exploitation.

In the secondary analysis, particularly the following aspects were examined:

- sociodemographic characteristics of the Vietnamese community in Germany, duration of residence and residence status, focus areas of economic activity, sociocultural idiosyncrasies, reasons for immigration, migration history
- geographical distribution of Vietnamese nationals and of the focus areas of their economic activity across Germany
- processing of (unclassified) information on trafficking in and exploitation of Vietnamese nationals provided by authorities as well as of other relevant information on this subject

2 The Vietnamese diaspora in Germany

With approximately **188,000 people** of a Vietnamese migrant background, Germany has the **second largest Vietnamese community in Europe** (after France) and the **ninth largest in the world**. In 2019, more than half of the population with a Vietnamese migrant background was between 25 and 60 years of age (55%); nearly one fifth were children under the age of 14 (19%). More than one third of the population with a Vietnamese migrant background has been living in Germany for at least 30 years, the average duration of residence in Germany being 23 years.

In 2020, **103,619 people of Vietnamese nationality** were living in Germany. Since 2013 the number of recorded Vietnamese nationals has been rising steadily, with the exception of 2020, when travelling and the economy were characterised by restrictions due to the pandemic.

The **residence permits** held by the highest percentage of Vietnamese nationals in Germany are those of unlimited validity: permanent settlement permit pursuant to section 9 of the German Residence Act (19,051 people, or 18.4%), permanent settlement permit because of, inter alia, an existing family unit with a German national pursuant to section 28 subsection 2 of the Residence Act (10,887 people, or 10.5%) and permanent settlement permit because of sufficient command of the German language pursuant to section 26 subsection 4 of the Residence Act (7,510 people, or 7.3%). Seven per cent of Vietnamese nationals registered in Germany do not have a right of residence, and more than five per cent have applied for a residence permit but have not yet been granted one.

The **places of residence** of the registered Vietnamese nationals are mainly various cities/regions in all parts of Germany: Berlin, Munich, Hamburg, Frankfurt am Main, Hanover, Leipzig and Dresden.

Vietnamese nationals **mainly hold jobs** in the **food service industry**, in **beauty salons**, **homes (nursing, retirement homes etc.)** and **retail**. In all of the above sectors, there has been an increase in Vietnamese staff in recent years. Throughout Europe, it is especially the two sectors most significant in terms of numbers that are associated with exploitation time and again: beauty salons and the food service industry. The regional focus areas of the individual sectors of occupation largely correspond to the main regions of residence.

Labour migration is supported and promoted by the governments of both Vietnam and Germany. There are **direct trade and legal migration channels**, each promoted by European or bilateral economic or development cooperation.

The diaspora, which has been residing in Germany for decades, is characterised by a high degree of self-organisation, for instance in cultural or religious associations. According to relevant literature, it is **not a homogeneous community** but rather consists of groups whose **different migration backgrounds** (education, flight from political persecution, start of a job) and very **different possibilities of integration** in the Federal Republic of Germany and the GDR even today have an impact on the sense of cultural belonging and integration into the majority society or the German labour market.

The **cultural idiosyncrasy** of the extraordinary importance of family and fellow countrymen to the individual ("village mentality") has its roots in history, but it can also be explained by the social structure, in particular in the rural regions of Vietnam.

The literature identifies the following central **push factors** that motivate people to emigrate from Vietnam:

- Individual economic factors: poverty and the desire to achieve a "new" life – perceived as a higher-quality life – for themselves and their families and to boost family reputation by purchasing things
- Structural and environmental factors: migration as a well-established economic strategy of the Vietnamese government, economic and educational inequality by disadvantaging ethnic groups, the rural population and others, family expectations to provide financial support, environmental disasters, reprisals from the police or the government/lack of freedom of expression, non-existence of an effective awareness or prevention campaign directed at the Vietnamese population

The **pull factors** that make Germany an attractive destination and transit country according to the literature include:

- Existence of diaspora communities: people willing to migrate hope to find accommodation and jobs in the country of destination and assistance with their onward journey along the travel route
- Perception that there are realistic prospects of a good income in Europe. This perception is fed by the dissemination of false information about the job and living opportunities for illegal migrants in Europe. Social media play a significant role in this context, as does "word of mouth". However, the economic development and exchange programmes existing between Germany and Vietnam, for example for training and recruiting Vietnamese care workers, may be contributing as well to fact that the German labour market is perceived as promising in Vietnam.

3 Human trafficking and exploitation

The "**traditional**" **illegal migration routes** hence lead to Europe via Russia, or via China and Russia, or directly to Europe by plane. The migration routes are adjusted according to legal, political or logistical situations; **newer routes** to Europe are sometimes via South America or via Turkey and Greece, for example. On the Eastern European route, the EU external borders are reached mostly on foot, by car or lorry or by bus. Where it is regarded as advantageous, Vietnamese groups of facilitators collaborate with local facilitators in Europe. Germany, in particular Berlin, but also Poland and the Czech Republic as well as France are important countries when it comes to illegal migration. There are extensive Vietnamese communities in these countries. The **Asian markets** in Berlin, the Czech Republic and Poland are hubs for criminals and contact points for smuggled immigrants. The destination of migration in Europe is mostly the United Kingdom; the duration of stay in the transit countries, however, may be months or even years. What is essential is a local community with legal or illegal economic structures that can provide accommodation and jobs.

The illegal journey often starts with an agent offering the chance to earn money abroad. There are legal and semi-legal as well as illegal **placement agencies in Vietnam**. The Vietnamese government promotes labour migration and seems to contribute to people's willingness to travel abroad.

Migrant smuggling may mean that those migrating become the subject of temporary or permanent **exploitation and human trafficking**. Due to the great discrepancy between the travel costs and

people's own financial means, even a journey to Europe, to begin a job, that has been started essentially voluntarily may result in bonded labour or force migrants to earn money under the most adverse conditions in order to be able to continue their journey. The criminal groups know how to recruit **victims** who have a characteristic background – for example **being from a poor region, being young, having received only little formal education, sometimes even being orphaned or having been exploited in Vietnam as well** – and who therefore intend to try and earn money abroad. In the course of migration, in addition to this **vulnerability**, the victims often **stay** in the transit countries **illegally**, have no identity documents any longer and are heavily **in debt** to the smugglers because of their journey. Because of their "village mentality", which is exploited by the criminal groups to manipulate their victims, they are **loyal** to their smugglers, who are often Vietnamese nationals too. But it is also due to **threats** of violence against them or their families in Vietnam that they do not make statements against their exploiters, especially to (law enforcement) authorities. In Europe, it is mostly boys and men who are among the identified victims of human trafficking or exploitation.

In Germany, human trafficking and exploitation are committed above all for the purpose of labour exploitation in **restaurants and snack bars**, in **nail salons**, and also in the **construction and meat processing industries**. Vietnamese nationals are moreover exploited in **prostitution**. There is also information suggesting exploitation for the purpose of committing offences in connection with the trade in fake, untaxed cigarettes or in connection with drug crime.

The Vietnamese **OC groups**, whose members are known so far to be mostly "**middle-aged**", to have a very **well established family/community network** and to **work on a division-of-tasks basis with fixed roles**, have thus far demonstrated **entrepreneurial skills** not only in connecting legal with illegal business areas but also in opening up new fields of business and applying new modi operandi or technologies. The perpetrators predominantly collaborate transnationally in ethnically homogeneous networks. In the European destination and transit countries, the local Vietnamese OC members usually hold a residence permit. Sometimes they cooperate with local facilitators of different nationalities. The **illicit profits** are probably either laundered through legal enterprises or cleverly transferred abroad.

Social media play a **significant role** in illegal migration, first of all in the acquisition of clients by facilitators and the activities of legal, partly legal or illegal recruitment agencies. During their journey, for example through European transit countries, migrants consult social media to obtain information on jobs, accommodation or onward travel.

Obtaining valid **facts** on human trafficking and exploitation is made more difficult, as is the **identification of victims** as well as criminal prosecution in this field of crime, by the fact that the victims do not regard themselves as such or are manipulated or put under pressure in such a way that they do not make statements to third parties. A strong **bond between fellow countrymen** and a huge obligation to the families staying behind in Vietnam, who hope for money transfers from abroad, are also reasons why migrants from Vietnam only seldom confide in third parties.

4 Conclusions and outlook

The **existence of a large diaspora** in Europe plays a significant role in people's decision to undertake the dangerous journey to Europe because they hope they will get support from their fellow countrymen in the transit and destination countries. But it is also of great relevance to the Vietnamese OC groups, which, because of the existing economic and informal infrastructure, have ways to accommodate, transport and exploit fellow countrymen and launder money, either with or without the knowledge of the community members involved. For Germany, it was demonstrated that the main areas of occupation of Vietnamese nationals correspond to the places identified throughout Europe where Vietnamese nationals become the victims of human trafficking and exploitation or with the places where presumably **money is laundered**.

The identified knowledge gaps concern particularly the following aspects:

- data on human trafficking/exploitation and related offences from different departments and NGOs
- intelligence on the phenomena of sexual exploitation, exploitation in connection with the cultivation and production of drugs, exploitation in care work settings and intelligence on multiple exploitation
- intelligence on the particularly vulnerable group of underage victims
 - unaccompanied minors (mostly juveniles)
 - babies, toddlers and children serving as a means to legitimise the residence of individuals in Germany
- analysis of networks regarding facilitation of illegal entry, exploitation and human trafficking
- social media/internet use
 - by victims of human trafficking/exploitation or by migrants
 - by Vietnamese OC groups
 - regarding possibilities for prevention
- financial flows

To close this knowledge gap, further research is required. Moreover, authorities have to be made aware of this field of crime, targeted investigations have to be conducted and the data held by the various governmental and non-governmental actors have to be rendered more conclusive and comparable so that a better overview can be provided of the situation in Germany.

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