

# Modern Vietnamese slaves in the UK: are raid and rescue operations appropriate?

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The arbitrary and controversial categorisation of people as modern slaves in need of rescue does not reflect the complex reality and expectations of many who fall foul of it.



'The Remittance Economy'. Raymond June/flickr. (CC BY-ND 2.0)

The recent publication of a [study about the modern slavery of Vietnamese nationals in the UK](#) by the Independent Anti-Slavery Commissioner has renewed public interest in modern Vietnamese slaves in the UK. While this topic has made headlines for years, it garnered a lot of attention earlier this year with the publication of various articles in *The Guardian* about [cannabis 'factories'](#) in the UK and the [abduction and trafficking for marriage of Northern Vietnamese women to China](#). In the past few weeks, countless news clips have denounced the harsh conditions forced upon Vietnamese adults and minors in cannabis farms, nail bars and brothels. Their provocative titles – '[Is your manicurist a slave?](#)' or '[Teenage "slaves" trafficked to work in Capital](#)' – are generating increased public concern. In response, raid and rescue operations are being conducted in accordance with the 4Ps of the British government's [Modern Slavery Strategy](#) – Pursue, Prevent, Protect, and Prepare.

At first glance, conducting raids in nail bars, cannabis farms and brothels would appear to be useful, helping to dismantle trafficking networks, rescue modern slaves, and show that the government cares about the issue. But how appropriate and effective really is this approach? In my opinion, it is highly problematic, because the vast majority of Vietnamese nationals in the UK do not consider themselves modern slaves, but rather undocumented migrants who do not wish to be 'rescued'. Moreover, as I later show, raids often create problems for Vietnamese migrants, and they fail to address the structural conditions that underpin their abuse.

## **Migration and exploitation: a complex picture**

According to the 2015 [UK Modern Slavery Act](#), trafficking is a process that involves recruitment, transportation, harbouring and transfer of people for the purpose of exploitation, slavery, servitude and forced or compulsory labour. Based on this definition, Vietnamese nationals who are deceived, coerced and exploited during their migration and/or within the UK are considered trafficked victims and modern slaves. The modern slavery discourse assumes that these victims are naïve and disempowered. In contrast, consenting undocumented migrants who are simply transported by smugglers for a fee are considered smuggled but not trafficked under the United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air.

Most migrants make informed decisions prior to their departure, prepare for their journey with carefully chosen smugglers and brokers, finance their migration by incurring debts, and expect to undertake difficult work.

On the ground, however, things are not so clear-cut. The findings of my research on Vietnamese migrants in France and an unpublished study conducted by the NGO [Alliance Anti-Trafic](#) with 140 returnees from Central Vietnam arrested in the UK suggest that the majority smuggled themselves into the country and embarked on their journey to improve their lives. They make informed decisions prior to their departure, prepare for their journey with carefully chosen smugglers and brokers, finance their migration by incurring debts, and expect to undertake so-called 3-D jobs – Dirty, Dangerous and Difficult – throughout their journey and during their stay. Ultimately, these migrants display a great deal of agency and courage in dealing with wider structural constraints, including the barriers erected by Fortress Europe, which hamper cross-border mobility and prevent them from becoming citizens in host countries.

Their legal categorisation as either trafficked victims and thus modern slaves to be assisted, or as illegal migrants and thus criminals to be referred to the justice system and deported, depends on legislation and identification. However, the law and the procedures for identifying them are not easily interpreted and applied. For instance, the 2015 UK Modern Slavery Act does not define exploitation. This provides law enforcement agencies with some leeway to interpret the law, but also complicates the identification process, which is left to the discretion of police officers. On the ground, the distinction between trafficking and smuggling is problematic because pure choice is a fallacy, and there can be both coercion in smuggling and agency in trafficking, or a mixture of the two in both processes.

Moreover, a Vietnamese migrant working in the UK for no salary is obviously abused; according to the law, s/he is said to be trafficked and enslaved. The same applies to a minor under 18 who, by law, is necessarily trafficked and enslaved with his/her consent being considered irrelevant. But, how do we assess the degree of exploitation and therefore enslavement of a financially-excluded Vietnamese migrant who borrows from moneylenders in Vietnam at an interest rate of 5% per month to defray the costs of the undocumented journey, or who works 10 hours a day at £3 an hour, 6 days a week with no vacation or benefits while transiting Eastern Europe or upon arrival in the UK, based on the flawed (or non-existent) definitions of exploitation provided by modern slavery legislation?

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My point is that the arbitrary and controversial categorisation of individuals as modern slaves in need of rescue does not reflect the complex reality and expectations of a majority of Vietnamese migrants in the UK. Hence, with the

exception of a few persons who are clearly abused and deprived of freedoms, most Vietnamese migrants do not wish to be rescued, even when they have to endure harsh working and living conditions for years. For many, living precarious lives with prospects of better earnings in Europe is more appealing than living hand-to-mouth with no prospects in Vietnam. They are prepared to face challenges, setbacks and harsh working conditions, all of which do not equate to trafficking in their eyes. As a result of anti-trafficking campaigns, trafficking has become synonymous to abduction, deception and severe forms of abuse, scenarios that in their opinion do not apply to them.

## The impacts of raid and rescue

Having provided a picture of their trajectories and clarified the lay and legal perspectives on trafficking, modern slavery and migration, I now turn to the impact of raid and rescue on Vietnamese migrant lives. A [study](#) by Melissa Ditmore on anti-trafficking initiatives in the US stresses the chaos, confusion and trauma that poorly designed and executed operations generate in sex workers' lives, the lack of immediate access to legal and social services following a raid, the detention of trafficked women (and especially those who do not wish to cooperate), the economic adversity that stems from detention, and the limited success of raids in identifying large numbers of trafficked victims. These findings also apply here.

To take but one example, note that many Vietnamese minors go missing soon after being rescued and placed in foster care. Why? Because, in their view, rescue does not serve their best interests. There is a lack of Vietnamese foster carers able to overcome cultural and language barriers and the restrictions that are placed on detained minors' freedom and ability access to phones or the Internet also adds to their discontent.

Another negative is increased economic hardship. My research on the debts that Vietnamese migrants incur shows the crippling effect of having to manage varied deadlines, interest rates, and individual and familial responsibilities revolving around the payment of debts, which can amount to as much as £30,000. This is particularly so when the migrant borrows from relatives, moneylenders, banks, and rotating credit associations which impose variable interest rates and terms of repayment, or when the family pledges its assets including the family home. Every minute of work counts towards the repayment of the debt. Therefore, every moment spent in limbo, or in the uncertainty of endless legal and judicial proceedings, incurs a loss that may aggravate the economic situation of victims, migrants and their families in Vietnam. A household that loses its assets and the income of an offspring confined in foster care or prison may very easily fall into bankruptcy and consider sending another one to compensate for the loss. It may also consider sending back a forcibly returned or repatriated offspring who has not fully reimbursed travel expenses or earned the expected income, and was therefore unable to complete his/her personal and familial mission.

Raid and rescue is tempting when dealing with so-called trafficking and slavery because the alarming rhetoric calls forth deep-rooted pictures of bondage linked to transatlantic slavery. Yet that association is misplaced, not least because the majority of 'modern slaves' reject their label and its associations. Instead of promoting a raid and rescue approach, we should rethink the entire conceptual foundation of the modern slavery paradigm. The first step is to consider the extent to which it acts as a [smokescreen to conceal the severe control over human mobility](#) enforced by the UK and its European counterparts, the [deregulation of labour markets](#), the [precarisation of workers](#), and the increase in inequality under neoliberal policies. These structural forces, ignored in discussions on modern slavery, leave both citizens and non-citizens with little or no protection, and encourage labour exploitation and migration on a large scale. Against this backdrop, the idea of rescuing and repatriating Vietnamese 'modern slaves' becomes an offensive and painful irony.