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Transnational Crimes in Vietnam: A Non-traditional Security Cooperation Approach

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Abstract

Traditional security issues, with a focus on political and military security, have been accompanied by non-traditional security issues in today's world. One of the emerging non-traditional security issues is transnational crime. Transnational crime is defined as an offense that involves more than one country in its planning, execution, and/or effects. It poses a non-traditional security threat to the world and Vietnam. This article examines cooperation in combating transnational crimes within the framework of non-traditional security cooperation between Vietnam, ASEAN countries, and United Nations members. The article specifically addresses four types of transnational crime in Vietnam: drug crimes, human trafficking, environmental crimes, and cybercrimes.

Keywords: Transnational crime prevention, Drug crimes, Human trafficking, Environmental crimes, Cybercrimes, Vietnam.

1. Introduction

Transnational crime, especially transnational organized crime (TOC), has increasingly turned into a direct and explicit threat to global safety and security. Such crimes can undermine public safety, deter any economic prosperity, and attenuate democracies worldwide. The United Nations describes transnational crime in general as a crime that “crosses national boundaries, and involves at least one act that is planned, occurred or has effects in more than one country” (UNODC, 2002, p. 4). This definition has continued to evolve since the 2000 UN Convention against Transnational Organized Crime, which also identified four bases of jurisdiction for TOC related to transnational activities: planning the act or offense, conducting the offense, and effects of the crime (UNODC, 2000; Allum & Gilmour, 2002).

In contrast to domestic crime, which is typically defined by a single jurisdiction, or international crime, which can bring perpetrators to justice in a court of international criminal law, transnational crimes are unique in the sense that they exist in the gaps between legal structures and exploit the characteristics of transnationality for the benefit of the perpetrator(s) and at the societal cost of those victimized or obstructed by such crimes. The UNODC has defined several types of transnational crime, such as drug trafficking, human trafficking and smuggling, migrant smuggling, cybercrime, environmental crime, and counterfeiting (UNODC, 2002; Adamson, 2005), to name a few. Additionally, new forms of transnational crime, including identity theft, health fraud, and fraudulent medicines, further highlight the challenges associated with TOC and how these

crimes can promote transactions and facilitate movement across jurisdictions (UNODC, 2018).

In the post-Cold War period, the nature of security threats has changed considerably, with non-traditional security (NTS) threats—such as terrorism, pandemics, climate change, and transnational crime—being pushed to the forefront of international security. These new threats cannot be effectively addressed using traditional military practices and require a cooperative, multi-specialist approach. Transnational crime impacts stability through violence, corruption, and counter-institutional behavior.

For countries like Vietnam, having a unique position among regional integration and global trading routes has felt its full share of pressure from the challenges of transnational crime. The first is the ratification of the UN Convention against Transnational Organized Crime (UNTOC) (2012), and the second is addressing the changes in 2015 to the Penal Code (Vietnam National Assembly, 2015). Vietnam has made efforts to be recognized alongside international expectations, but there is also a gap in terms of actual procedures put in place in addressing transnational crime and building cooperation through policies, including decisions 605/QĐ-TTg (2013) and 1196/QĐ-TTg (2023). While there is a framework to address these issues, there are still large gaps between the provisions of the UNTOC and the criminal laws established in Vietnam, particularly regarding the ongoing evolving situation to address the change in the sophistication of criminal networks.

The non-traditional security paradigm is making headway as an avenue to study these forms of transnational threats. NTS goes beyond traditional military attack and embraces hazards such as environmental destruction, cybercrime, and human trafficking, which are relevant in a globalized world (To Lam et al., 2018, 2024). For regional actors such as ASEAN, this framing of NT is formalized, for example, in the 2002 ASEAN-China Joint Declaration on NTS, where political focus is associated with transnational crime and collective responses (ASEANAPOL, 2002). The 2006 ASEM Foreign Ministers' Meeting also demonstrated the relation of NTS to traditional threats, which highlighted multilateral approaches on NTS issues such as climate change, pandemics, and transnational organized crime (Edwards & Gill, 2003; Chouvy, 2013). This analytical lens will support our analysis of Vietnam and its approach to transnational crime, which has global power issues at the same time as local/existential concerns.

Theoretical frameworks articulated in criminology and security studies can add valuable insight into the challenges mentioned above. A structural-power perspective points towards the asymmetries of power that lack these connections in varying degrees and the transnational power of criminal networks that impact states' abilities to, in the case of this study, deal with issues that are beyond their jurisdiction and lead to extra-territorial actions (Acharya, 2014). On the contrary, a



vulnerability-adaptation perspective suggests that smaller states like Vietnam have the capacity to reduce risk, regardless of external considerations, due to the resilience of their institutions, as well as available options for localised action irrespective of the power imposed on them (Dijk & Spapens, 2014).

The People's Public Security Forces in Vietnam are distinct organizations that can operate in transnational and domestic environments, with one aspect that is the People's Police, and the other aspect, a dual function of domestic organization, the People's Security (Law No. 73/2014/QH13). The People's Public Security Forces have a mandate defined in a broad way – crime prevention, immigration control, cybersecurity – highlighting the interdisciplinary nature of the non-traditional security (NTS) response in Vietnam (Marinella & Chazal, 2016; Chang, 2017). In addition to this, while we can see that the People's Public Security Forces have created an innovative model of transnational adaptation, the conflicting nature of implementing framework of global norms, actions and behaviours at a local level place limitations on their approach, indicating a need for us to critically re-examine the state-centric model of security.

This article provides a theoretical analysis of transnational crime broadly, with a focus on Vietnam. It integrates perspectives from criminology and security studies, establishing an interdisciplinary approach. The analysis draws on primary sources from Vietnamese government reports (Ministry of Public Security, Supreme People's Procuracy) and international studies (UNODC, ASEANAPOL). It combines structural power and vulnerability adaptation perspectives to present a theoretical model of transnational crime as an emerging non-traditional security issue for Vietnam, its neighbours, and the regional and international community.

2. Transnational Crimes in Vietnam

The Doi Moi (Renovation) policy, which began in 1986, resulted in a significant transformation of both the nation's economy and politics under the Communist Party of Vietnam. The country shifted its economy from central planning to a socialist-oriented market economy, with the state maintaining a crucial role in national economic planning. This reform allowed for the recognition and involvement of various economic actors, including collective enterprises, private sector capitalists, state capitals, and foreign investors. The transition from a closed-market economy to an open-market economy has positively impacted Vietnam's commercial relationships, fostering partnerships with countries like the United States, the European Union, Japan, and China.

On the political front, Vietnam has normalized relationships and improved diplomatic ties with numerous states beyond just socialist ones. The country has

actively participated in multilateral forums, joining international and regional organizations such as the World Trade Organization (WTO), the Association of Southeast Asian Nations (ASEAN), and the Asia-Pacific Economic Cooperation (APEC). However, the benefits of economic liberalization and diplomatic openness have also brought about new security challenges. The increased cross-border movement of people, goods, and capital has enabled transnational criminal networks to exploit Vietnam's strategic location and growing global connections. Vietnam has become a target and transit point for international criminal operations, particularly in human trafficking and illicit drug trafficking.

Vietnam's accession to the WTO has led to deeper integration into the global economy, offering advantages for national development and security. Nevertheless, it has also attracted international and domestic criminal actors seeking to exploit the opportunities present. Criminal organizations often establish operational bases in Vietnam or use it as a key hub for trafficking illegal goods, leading to a rise in transnational crime in terms of both frequency and complexity.

Specifically, Vietnam faces significant challenges in combating:

- **Transnational drug trafficking**, with the country serving as a conduit for narcotics moving across Asia and beyond.
- **Human trafficking**, exacerbated by porous borders and increased labour migration.
- **Cybercrime and financial fraud**, facilitated by the trends of digital globalization.

2.1 Transnational Drug Crime

The prevalence of drug-related offenses in Vietnam from 2010 to 2020 was 200,644. Recently, the international and foreign-related aspects of drug crime in Vietnam have become more defined. Special Forces in Vietnam and other countries have identified numerous drug offenders involved in narcotics trafficking in Vietnam, many of whom were overseas Vietnamese or foreigners who came to Vietnam to illegally transport and trade narcotics. A total of 287 cases and 588 offenders were arrested between 2010 and 2020.

While the heroin trade may not be among the largest in the world, heroin still plays an important role in Vietnam's drug market given its prevalent domestic usage. The heroin trade is generally able to thrive in Vietnam through small-scale mechanisms and corrupt government and border officials, particularly in rural borderland provinces. The drug trade encompasses both domestic and transnational criminal networks, with actors from China and Korea who travel frequently to traffic drugs in Vietnam. Formerly a poppy cultivating country, there is little indication at present that poppy cultivation is coming back.



Heroin remains in demand but users prefer meth, growing in popularity (Nguyen Xuan Yem et al. 1998; 2000; 2003; 2005; 2013; 2015; Nguyen Viet Linh, 2018; 2023). Not only that, but Vietnam is being recognized as a key destination market for synthetic drugs. Substantial amounts of illicit drugs are trafficked into Vietnam from Southeast Asia, Europe, and North America for both domestic use and eventual transit. The market for synthetic drugs is rapidly growing and prevalent in nearly every province in Vietnam. The methamphetamines sourced from the Golden Triangle routinely find their way into Vietnam or immediately southwards through Vietnam, and traffickers have continued to be arrested along the northwestern border with Laos. Increasingly, these smuggling operations exploit beneficial customs trade protocols or customs clearance for cargo and parcels (UNODC 2021; 2022; 2023; Nguyen Van Vien et al., 2023).

Trafficking of cocaine into Vietnam is coming from various spaces, including China, Laos, Cambodia, Europe, and Western Africa. Traffickers have begun using more covert techniques and opting for smaller shipments to avoid detection; however, cocaine is still the smallest segment of the drug market in Vietnam. Traffickers of cannabis into Vietnam originate from the United States, Canada, Europe, Laos, and Cambodia; the growing local sector is further supported by local equity and consumption of cannabis, especially amongst youth within Vietnam. Although there are comparatively lower seizure rates, smuggling occurs seen in mainly on land and air routes. Vietnamese organized crime groups are also involved with indoor cannabis cultivation operations in Western countries. Additionally, organized crime networks with Chinese nationals, Taiwan (China) nationals, and then local actors use rentals as a means for smuggling drugs from the Golden Triangle into third countries, and conducting illegal activity on social media, dating apps, e-commerce, and other technologies (UNODC, 2021; 2022; 2023).

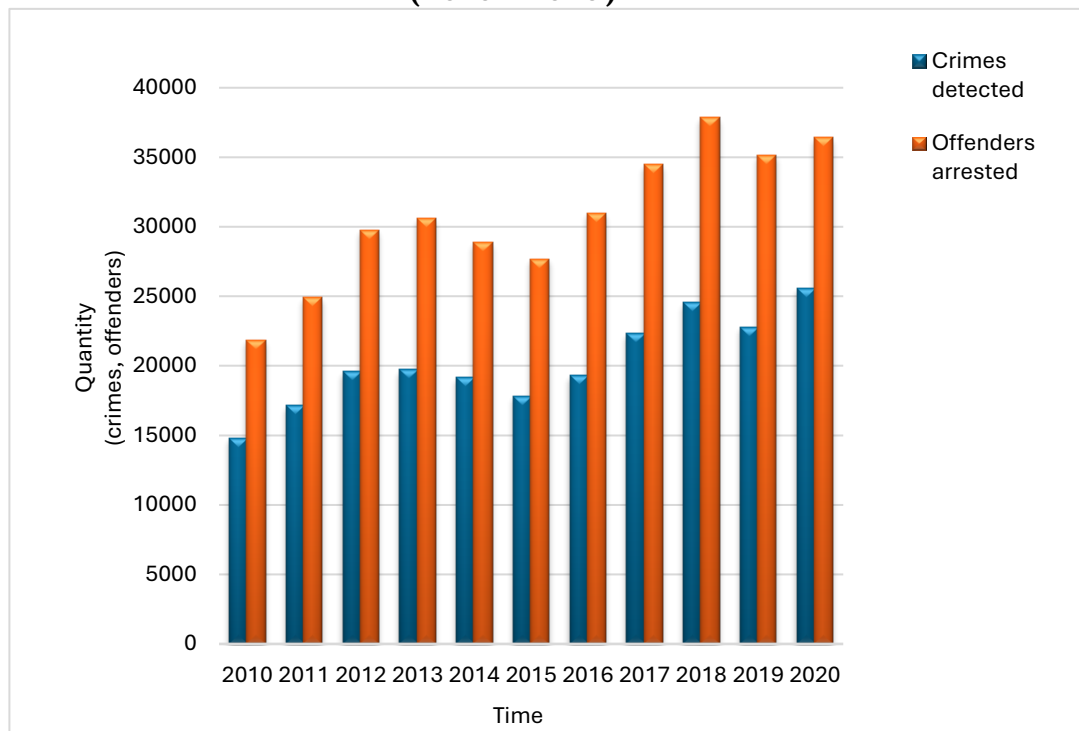
Through international cooperation, Vietnamese organizations worked with foreign counterparts to identify and apprehend significant cases of narcotics being transported from Vietnam to various countries such as Australia, Canada, and the United Nations, as well as narcotics being transported into Vietnam from countries like China, Laos, and Cambodia. Drug crimes with international ties are becoming increasingly complex, with new methods and tactics being used in drug transport, including air, maritime, mountainous, and hazardous land areas. There is also a rise in the use of advanced criminal technology in illegal drug trafficking.

**Table 1. Results of Investigation and Exploration of Narcotics Crimes
(2010 - 2020)**

Year	Number of crimes detected	Number of offenders arrested	Number of narcotics crimes investigated	Number of defendants investigated	Number of narcotics crimes prosecuted	Number of narcotics defendants prosecuted	Number of cases with foreign elements	Number of offenders with foreign elements
2010	14.828	21.874	11.726	15.080	9.305	11.770	47	129
2011	17.147	24.933	14.106	17.926	12.535	15.787	19	44
2012	19.582	29.786	16.584	21.106	14.596	18.375	29	51
2013	19.725	30.598	15.573	20.705	13.795	18.061	25	50
2014	19.195	28.880	20.327	22.257	14.436	18.742	25	51
2015	17.821	27.675	15.106	20.043	11.299	14.525	25	41
2016	19.333	31.001	16.787	20.747	12.453	15.611	25	41
2017	22.346	34.494	17.610	22.422	16.220	20.036	20	38
2018	24.552	37.842	20.211	24.918	17.691	21.771	21	35
2019	22.814	35.151	24.492	30.421	20.063	25.184	23	40
2020	25.548	36.404	24.492	30.421	22.266	28.576	28	68
Total	226.192	343.835	197.014	246.046	164.659	208.438	287	588

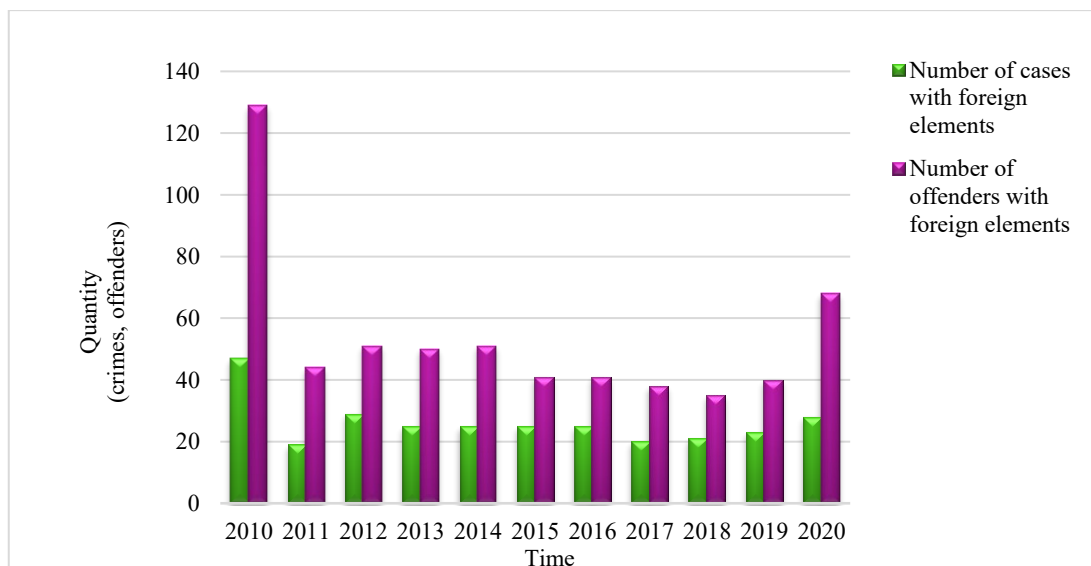
Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)

Figure 1. The Number of Narcotics Crimes and Offenders Detected and Arrested (2010 - 2020)



Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)

Figure 2. The Number of Cases With Foreign Elements and Offenders with Foreign Elements in Narcotics (2010 - 2020)



Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)

The trend of growing drug trafficking linked to foreign countries like Laos, Cambodia, and China is a concerning development. Hence, a mechanism for regular meetings on drug crime prevention has been established between provinces bordering Vietnam, Laos, Cambodia, and China. This includes the inclusion of 21 Border Liaison Offices (BLOs) to exchange information on drug crime prevention and control situations, and outcomes; and to conduct activities to investigate crimes of drug trafficking and transportation. Between 2019–2021, and through the coordination of functional forces of neighboring countries, Vietnamese functional forces detected over 70,000 cases and held custody of almost 109,000 drug offenders. They also seized over 2.1 tons of heroin, almost 12 tons of other drugs, and approximately 5 million synthetic drug pills (Nguyen Viet Linh, 2022).

Vietnam is also engaged in promoting the construction and completion of the legal basis of collaboration to undertake crime prevention with neighboring and other countries. This includes agreements such as the ASEAN Convention on Counter Terrorism (2011), ASEAN Convention against Trafficking in Persons, Especially Women and Children (2015), ASEAN treaty on Mutual Legal Assistance in Criminal Matters, Model ASEAN Extradition Treaty, etc.

2.2 Crime of Trafficking of Vietnamese Women and Children

Trafficking in Persons (TIP), or human trafficking, is the term that describes the activities that occur when one person obtains or holds another person in compelled service, such as involuntary servitude, slavery, debt bondage, or forced labor. TIP specifically concerns the trafficked person as an object of criminal exploitation, often experiencing physical and psychological abuse. TIP is generally perceived as a borderless crime that involves crossing borders between different jurisdictions, but TIP victims can also be trafficked domestically within their own countries. Traffickers can exploit victims in locations where they are supposed to be served and can sell them to other trafficking organizations and markets within the same country.

Human trafficking, or trafficking in persons, is a problem that continues to be difficult to resolve, in part because of the overlap between trafficking and illegal immigration. Human trafficking includes the recruitment, transportation, transfer, harboring, or receipt of a person using force, coercion, or other means for exploitation. Illegal immigration or smuggling of migrants describes the illegal entry of a person into a state of which that person is not a national or resident, with the involvement of agents for financial gain. A person may voluntarily seek smuggling into a country, but once in that country, they may become victimized: held against their will through coercion and forced to work or provide services to the trafficker or others. For example, a person may be forced into bonded labor or forced labor, or to become a sex worker, through threats of violence or by having



their passports held by their employers. Sexual exploitation accounts for 79% of human trafficking cases, while forced labor accounts for nearly 1 in 5 cases.

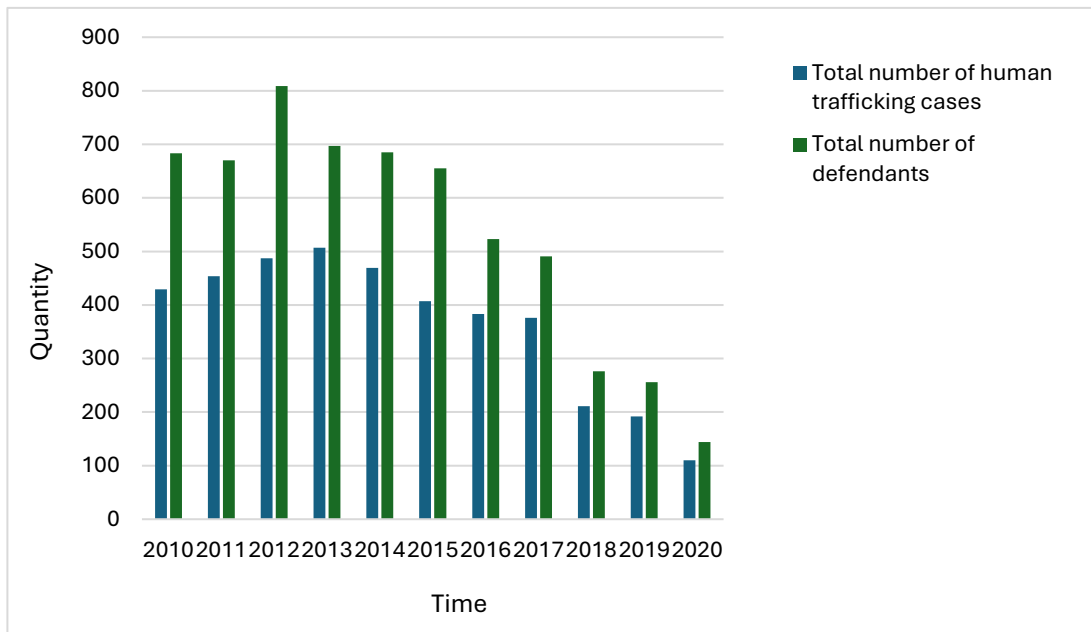
Table 2. Crime Statistics on Human Trafficking Abroad (2010 - 2020)

Year	Total number of human trafficking cases	Total number of defendants	Total number of victims
2010	429	683	671
2011	454	670	821
2012	487	809	883
2013	507	697	982
2014	469	685	1031
2015	407	655	1000
2016	383	523	1128
2017	376	491	991
2018	211	276	386
2019	192	256	309
2020	110	144	121
Total	4025	5889	8323

Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)

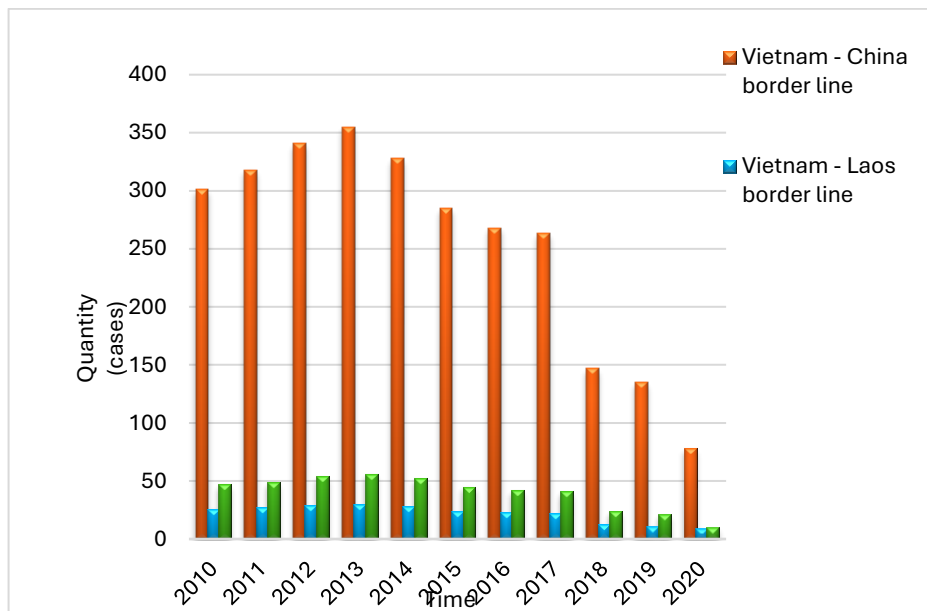
From 2010 to 2020, there were 4,025 cases and 5,889 human trafficking offenders discovered and prosecuted. Out of those figures, 445 cases involved child trafficking, with 507 offenders involved in child trafficking and 526 children trafficked. The form of criminal activity has become more complicated and likely to increase, with new and more complex methods such as fake marriage, exploiting visa exemptions, and fake passports, which send Vietnamese women and children abroad for prostitution, as well as foreign spouses and labor exploitation. This crime is prevalent in a small number of countries and territories, including Russia, China, Hong Kong (China), Korea, Taiwan (China), Cambodia, Malaysia, and Singapore. An overwhelming majority of trafficking cases occurred at the land border between Vietnam and China, with close to 2,549 cases (70%). The land border between Vietnam and Laos had 242 cases (5.95%), and the land border between Vietnam and Cambodia had a maximum of 441 cases (11%). Outside the airline route, there were 323 cases (8%), with 198 cases (5%) originating from the sea route.

Figure 3. Crime Status on Human Trafficking (2010 - 2020)



Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)

Figure 4. The Routes and Locations Of Human Trafficking Crimes with Foreign Elements (2010 - 2020)



Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)



Table 3. Crime Statistics on Child Trafficking Abroad (2010 - 2020)

Year	Total cases of human trafficking to abroad	Total cases of child trafficking too abroad		
		Total number of cases	Total number of defendants	Total number of victims
2010	429	44	50	52
2011	454	47	53	55
2012	487	50	57	59
2013	507	52	59	61
2014	469	48	55	57
2015	407	42	48	49
2016	383	39	45	46
2017	376	39	44	45
2018	211	31	35	37
2019	192	27	30	33
2020	110	26	31	32
Total	4025	445	507	526
Ratio %		11,05%	12,59%	13,06%

Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)

Table 4. The Routes and Locations of Human Trafficking Crimes involving Foreign Elements (2010- 2020)

Year	Total number of human trafficking cases	Criminal locations		Popular criminal routes				
		Abroad	Domestic	Vietnam - China border line	Vietnam - Laos border line	Vietnam - Cambodia border line	Air routes	Sea routes
2010	429	386	43	301	26	47	34	21
2011	454	409	45	318	27	49	36	24
2012	487	438	49	341	29	54	39	24
2013	507	456	51	355	30	56	41	25
2014	469	422	47	328	28	52	38	23
2015	407	366	41	285	24	45	33	20
2016	383	345	38	268	23	42	31	19
2017	376	338	38	263	22	41	30	18
2018	211	190	21	147	13	24	17	10
2019	192	174	18	135	11	21	16	9
2020	110	85	25	78	9	10	8	5
Total	4025	3609	416	2549	242	441	323	198
Ratio %		89,66%	10,34%	63,32%	6,01%	10,95%	8,02%	4,91%

Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)



Vietnam has been a source, destination, and transit country for human trafficking for over 40 years (1986–2024). Ethnic minority women and children, as well as economically disadvantaged women and children from Vietnam, are especially vulnerable. Despite the Government of Vietnam’s assertions to combat human trafficking per the Government’s minimum requirements for modern human rights, the Government does not meet the minimum requirements to fight human trafficking. Vietnam is a source country for trafficked women, especially underage girls. Vietnamese women are over-represented in the sex industries globally and regionally.

Criminal actors, including mildly well-trained local recruitment agencies, family members and acquaintances of victims, and foreign actors, such as Chinese and Korean ‘marriage’ or ‘bride recruitment’ brokers, are already poised to commit more crimes as they develop into criminals and expand nationwide, and into regional and international networks, with a high level of criminal professionalization. Human trafficking in Vietnam worsened after the COVID-19 pandemic because of a surge in illicit activities that remain undetected. Reports of Vietnamese victims being exploited in forced criminality in scam compounds across Southeast Asia are increasing (Tran Minh Huong, 2003; UNODC, 2021; 2022; 2023; ASEANAPOL, 2020; 2022; 2023; 2024; Nguyen Minh Hieu, 2022; Le Van Duong, 2023, etc.).

Human smuggling is also a noted problem in Vietnam, especially along its northern and western borders with China and the east with Cambodia. Many Vietnamese nationals, and even other passport holders from Africa, the Middle East, and elsewhere, choose to use smugglers to seek opportunities for economic gain in China, Taiwan (China), South Korea, Japan, and Europe. Human smuggling, some may refer to human trafficking as well, takes advantage of places like Nghe and province that receive millions of dollars of remittance money from abroad annually. One-time fortunate Chinese migrant workers wore an orange tunic behind and a white tunic in front. The garment and woven bag were modifications from what, according to Vietnamese Fisherman’s Boots.

The COVID-19 pandemic has added to economic hardship in the areas of human trafficking, resulting in cases of pregnant women reportedly traveling across the border into China using networks of cross-border smuggling with the intent of allegedly selling their babies. Smuggling networks are organized, and the established diaspora community in Europe plays a pivotal role in the establishment of human smuggling from Vietnam. Smugglers often pose as “job recruitment” companies using social media to connect, making it harder for law enforcement

agencies to apprehend or stop the smuggling operations (Nguyen Ngoc Hai, 2018; Luong Thanh Hai, 2017; 2028; 2022; 2023; Nguyen Viet Linh, 2022, etc.).

Protection racketeering and extortion have been common in Vietnam for an extended period. While it has failed to become a formalized mafia and/or cartels like other countries, some behaviors and operations make it more difficult for law enforcement agencies to maintain effective control. The organization of these criminal acts is typically a perpetrator who has had serious ongoing criminality or is associated with drug users/dealers. The migration of the illegal credit market into the digital milieu makes the market especially difficult for the police, as criminals can now utilize current technology to commit illegal acts. Moreover, oftentimes these actions are supported by a state-embedded actor, particularly the police. Most importantly, despite law enforcement efforts, many victims do not cooperate with law enforcement in terms of denunciation of crime, partially because they are fearful of retaliation and for the belief that if this group of criminals are removed, another group of criminals will emerge anyway (Dao Le Thu, 2022; Do Canh Thin, 2023, etc.).

2.3 Crime Using High Technology

Vietnam has a substantial market for cybercrime (again primarily saturating various hacking activities). In the past, these hacker groups did not have much of the technology needed to conduct serious attacks. In recent times, however, the availability of software as a service (SaaS) now allows criminal actor[s] to conduct mass cyber-attacks on systems using malware and hacking tool-kits that were purchased over the web. Consequently, there has been a major increase in cyber-attacks/fraud and not to mention liabilities attributed as consequences of COVID 19.

Cybersecurity breaches and high technology crimes occur across all areas of social life and are increasing in number, nature, and severity. Between 2010 and 2020, there were 4398 detected breaches and crimes in this field. These crimes include stealing credit card details, appropriating property through e-commerce operations, and using fraudulent and unlawful means on the internet, telecommunications, and social networking services. Cases of high technology crime are rising following organized efforts in finance, banking, e-commerce, and the “usury” sector. They also involve the stealing of certain data from citizens, tax codes, e-customs for fraud, and stealing property. Addressing these challenges will be a considerable task for Vietnam.

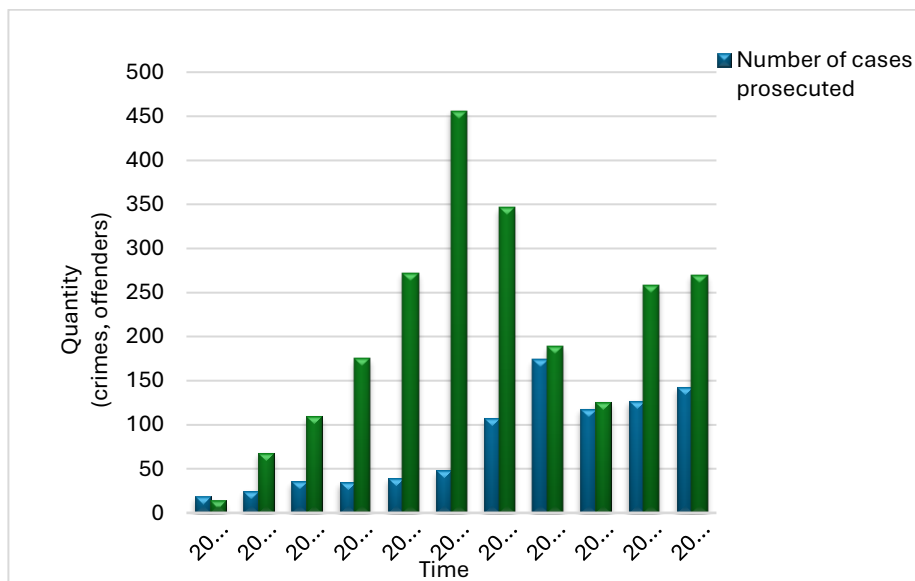


Table 6. The Results of Investigation and Discovery of High-Tech Crimes (Cybercrime) (from 2010 to 2020)

Year	Number of cases detected	Number of cases prosecuted	Number of defendants prosecuted	Number of administrative sanctions and other handling
2010	75	19	14	36
2011	128	25	68	56
2012	261	36	109	53
2013	310	35	175	30
2014	410	39	272	118
2015	510	48	456	86
2016	669	107	347	115
2017	944	174	189	37
2018	499	728	126	187
2019	287	127	258	254
2020	305	142	270	320
Total	4398	870	2284	1292

Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)

Figure 5. The Results of the Investigation and Discovery of High-Tech Crimes (cybercrime) (2010 - 2020)



Source: Ministry of Public Security (MPS) of Vietnam and Linh Viet Nguyen(2022)

The usual losses from computer viruses alone now exceed US\$ 1 billion annually. Vietnam had recorded several attacks/intrusions, ultimately affecting government agencies, communications, aviation, energy, along hospitals. Approximately 500 attacks have been recorded, with the objective of data destruction or theft (Nguyen Viet Linh, 2022; Tran Manh Hung, 2023, etc.).

Vietnam's 2019 National Defense White Paper outlined the considerations of cyber warfare in malicious pursuits by hostile forces, using technology to interfere with cyber and information systems, impact critical infrastructure and national secrets, and spread misinformation. The Ministry of National Defense (MND) affirmed that it considers the above as an offence to national sovereignty in cyberspace, with implications on political stability, socio-economic implications, and national defense and security (MND, 2019).

The trend continued through 2024, as the Vietnamese government stated that from January to March, there were more than 20 million possible cybersecurity alerts (MPS, 2024), which is a 33% increase over the same period in 2023 (MPS, 2024). Phishing has become the most prominent cybercrime in Vietnam; phishing accounts for about one-third of all phishing attacks. The next iteration of attacks after phishing included cybercrime attacks targeting vulnerabilities in the platforms and programs installed on computers and servers (27.4%) and business websites were subject to 25.3% of cybercrime attacks (MPS of Vietnam, 2023; 2024).

3. The Prevention of Transnational Crime: Non-Traditional Approaches in Vietnam

Non-traditional security threats are now affecting the global landscape, especially global transnational crime and international terrorism. National security cannot handle transnational crime and terrorism because security and development are now broader than a national context. The international community must act in concert to deal with transnational crime, which requires borderless solutions to borderless problems, entails action and cooperation in a variety of ways: economic, political, diplomatic, legal, scientific, and technical (ASEAN, 2002).

Vietnam has developed a strategy for taking advantage of international and regional frameworks to address transnational crime. This strategy also marks a significant development in Vietnam's willingness to address transnational issues, especially as transnational issues come into the fold of national security during non-traditional security measures. Vietnam has engaged with various global conventions/regional initiatives, which have allowed it to build its capacity to combat transnational crime and illustrated an overall architecture for collective action against crime that crosses borders.



3.1. Vietnam's Engagement with Global Legal and Institutional Frameworks

Vietnam's significant involvement in important international conventions and organizations, which demonstrates its commitment to international activities to reduce transnational crime, indicates a holistic conception of non-traditional security that includes all forms of global challenges and the importance of a multilateral approach.

3.1.1 International Police Cooperation: INTERPOL

The International Criminal Police Organization (INTERPOL) was founded in September 1923, initially based in Vienna, to allow police organizations across countries to mutually assist one another and establish a basis for international police collaboration. Vietnam became an active member of INTERPOL on November 4, 1991. This date of accession to INTERPOL is significant because it preceded Vietnam's ratification of many other key international conventions, such as the United Nations Convention against Transnational Organized Crime (UNTOC) in 2012 and the United Nations Convention Against Corruption (UNCAC) in 2009, or most of its environmental treaties in the mid-1990s.

Vietnam's relatively early accession to INTERPOL, especially in the context of its post-Doi Moi international reintegration, indicates a proactive and early acceptance of the transnational aspect of crime. It suggests that Vietnam had national security interests based on police collaboration actions even before integrating legal frameworks for specific crime responses like organized crime or corruption. This indicates that Vietnam's approach to dealing with borderless threats was proactive rather than reactive.

3.1.2 Combating Illicit Drug Trafficking: United Nations Conventions

Vietnam has shown considerable dedication to the fight against illicit drug trafficking by fully engaging with key United Nations conventions, including the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971, and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. On November 4, 1997, Vietnam acceded to the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. The simultaneous ratification of these treaties in 1997 demonstrates Vietnam's willingness to develop a new scheme for drug control, harmonizing its domestic legal system with international practice, and that the national government has recognized the need for international assistance in combating drug trafficking, which is often associated with organized crime.

3.1.3 Addressing Organized Crime and Corruption: UNTOC and UNCAC

Vietnam's relationship with international instruments also includes broader frameworks for fighting organized crime and corruption. Vietnam signed the United Nations Convention against Transnational Organized Crime (UNTOC) on December 13, 2000, but did not ratify the convention until June 8, 2012. In a similar way, Vietnam signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and ratified it on June 30, 2009. UNCAC and UNTOC have different timeframes for ratification which suggests a divergence in internal difficulties or priority. A delay in ratifying UNTOC, for instance, may reveal significant barriers to applying the domestic criminal justice system with the full scope of organized crime, while a speedier ratification of UNCAC indicates a higher sense of urgency to recognize and address corruption within the domestic political sphere.

3.2 Regional Cooperation in Southeast Asia: A Core Principle of Prevention

The representative model of Vietnam's approach to transnational crime is its participation and contribution to regional groupings that exist, such as the Association of Southeast Asian Nations (ASEAN). The significance of ASEAN reflects the process of institutionalization of cooperation in Southeast Asia, and through a larger narrative, a collective sense of shared recognition of emerging security challenges.

3.2.1 The Role of ASEAN in Transnational Crime Prevention

ASEAN and its representatives in the ARF, and mechanisms such as the Asia Pacific Economic Cooperation (APEC) have provided important regional statements and processes on transnational crime. A key year was 1994 when ASEAN Parliamentarians established the ASEAN Regional Forum (ARF), as a dialogue and action forum for issues of political and security interest common to the Asia Pacific region, which includes counter-terrorism and transnational crime. APEC, while an economic forum, has also prioritized securing economies against terrorism and other illicit threats, recognizing the economic consequences of transnational crime.

Vietnam has been actively involved in regional actions and significant projects, such as the Joint Declaration of ASEAN and China on Cooperation in Non-Traditional Security Issues, signed in Phnom Penh, Cambodia, on November 4, 2002. The declaration focused on combating illicit drug trafficking, people smuggling, piracy at sea, terrorism, arms smuggling, money laundering, international economic crime, and cybercrime. Vietnam also participated in drafting the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP), signed in Kuala Lumpur on November 21, 2015, and entered



into force on March 8, 2017 and entered into force on March 8, 2017 (ASEAN; 2015, 2017; Sherlock, 2015).

3.2.1.1 ASEANAPOL: A Pillar of Regional Police Cooperation

The ASEAN Chiefs of Police forum, also known as ASEANAPOL, is an important component of police cooperation and discusses security issues regularly. The ASEAN Association of Chiefs of Police first met in an official capacity in Manila in 1981, and began as a collaboration of Malaysia, Singapore, Thailand, Indonesia, and the Philippines (ASEANAPOL, 1981). Eventually, ASEANAPOL included Brunei (1984), Vietnam (1996), Laos and Myanmar (1998), and Cambodia (2000) as members (ASEANAPOL, 1984, 1996, 1998, 2000). Vietnam became a member of the regional police association just after it joined ASEAN, which demonstrates its willingness to work with other countries through law enforcement actions.

The ASEANAPOL is administered through the ASEAN Secretariat in Jakarta indicating that it operates under the larger umbrella of ASEAN. It has an organizational chart that provides a hierarchical structure, including the Senior Officers' Meeting on Transnational Crime (SOM-TC), which reports back to the ASEAN Ministerial Meeting (AMM-TC) on Transnational Crime (ASEAN, n.d.; Frontiersin.org, 2024). It is the SOM-TC that drives the development and implementation of the action plan to Combat Transnational Crime (ASEAN, n.d.; Frontiersin.org, 2024).

In 2005, ASEANAPOL made a key operational development when the 25th Conference in Indonesia approved its Permanent ASEANAPOL Secretariat (ASEANAPOL, 2010). To develop the capacity of ASEANAPOL, the Secretariat was officially launched on January 1, 2010, with its permanent seat in Kuala Lumpur, Malaysia (ASEANAPOL, 2010). The function of the Secretariat is to be the communication channel and coordinator for police activities amongst ASEAN countries and to assist significantly with the delivery of agreements developed under the ASEAN Community, Action Plan, and Agenda (ASEANAPOL, 2010).

While there is an organizational formality to ASEANAPOL, it also eventually developed a formality of technological advancement in establishing an electronic database of transnational crime information. The Electronic ASEANAPOL Database System (e-ADS) was first proposed in 1991 at the 11th ASEANAPOL Conference and then launched in 2006 (ASEANAPOL, 2006). The e-ADS provides an avenue for police forces in ASEAN nations to exchange criminal information, which supports the investigation, prosecution, and conduct of crimes (ASEANAPOL, 2006). From these collaborative efforts as part of ASEANAPOL, Southeast Asian police forces have continually built teamwork strategies through the exchange of criminal

intelligence, coordination of investigations, and the tracing and arresting of criminals. And, from the efforts made into those processes, evidence has confirmed that police forces across ASEAN countries apprehend criminals annually and dismantle many aspects of transnational crime networks.

The transformation of ASEANAPOL from informal annual meetings to an international organization with a standing secretariat and an electronic database shows the institutionalization of, and acceptance of, public-private cooperation against transnational crime through technology and institutional arrangements where the state will require a long-term commitment to commitment and coordination against crime (Criminal Intelligence, 2004). While it represents a tactical shift towards shift from reactive to enforcement style in response mode to proactive, to prevention and enforcement led by information, Vietnam was quick to join this regional police network in 1996 and continued to have influence in its evolution. One such example is through its representation on the ASEANAPOL Database System Technical Committee (ADSTC) on behalf of the Office of Investigation Police Agency (OIPA) (ASEANAPOL, n.d.), where, by leveraging technology as a means for the region to share intelligence and coordinate operations, Vietnam is committed to the conditions for secure regional security.

3.3 Targeted Initiatives against Specific Transnational Crimes

In addition to an extensive cooperative partnership among police agencies, ASEAN has a comprehensive drug prevention cooperation framework called ASEAN Senior Officials on Drug Matters (ASOD). ASEAN Senior Officials on Drug Matters (ASOD) is the working group for ASEAN. In November 1998, Vietnam hosted the ASOD Conference, which had delegates who spoke of the drug situation in Southeast Asia and exchanged their perceptions, problems, achievements, and pills. The Conference clearly outlined the roads and bridges needed to achieve a common regional approach to the drug issue (ASEAN Ministerial Meeting, 1998). The Conference also expressed the need for more cooperation in legal framework, training, capacity building, and private sector engagement, especially in the chemical and pharmaceutical industries (ASEAN Ministerial Meeting, 1998).

The common goal of a drug-free ASEAN is a shared responsibility for every member state (ASEAN Ministerial Meeting, 1998). The ASEAN Ministerial Meeting on Drug Matters (AMMDM) took place in 1998 and 2005, with the common aim towards a drug-free ASEAN Community. Ultimately, the ASOD and AMMDM culminated in the Direct Declaration for a Drug-free ASEAN in 2020 (ASEAN Ministerial Meeting, 1998).



3.3.2 Addressing Human Trafficking and Irregular Migration

The Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime was started in 2002 to share ideas and have collaborative efforts to address practical responses to people smuggling, human trafficking, and other forms of transnational crime in the Asia-Pacific area. The final Communiqué from the Sixth Bali Process Ministerial Conference in 2016 expressed awareness of the growing irregular migration challenges facing the Asia Pacific region and beyond. Among other recommendations, the Conference called for a holistic long-term approach, including new initiatives to reduce the scope for migrant exploitation and advance the development of legal, safe, and affordable options for migration (Bali Process Ministerial Conference, 2016).

The promotion of legal migration pathways is an innovative solution to address people smuggling and human trafficking by targeting the root causes and vulnerabilities of exploitation by providing legal options for people who are driven into exploitative situations because they do not have legal options. By promoting legal pathways, the Bali Process can disrupt the operations of criminal networks, lessen the demand for illegal services, and move to policy solutions rather than criminal ones, by reforming national, regional, and international approaches to migration and labour governance.

3.4 Vietnam's National Engagement and Contributions

The Vietnamese police have a significant role in tackling transnational crime, as they receive and process thousands of pieces of information on transnational crime each year. They regularly share criminal information and collaborate on investigations, resulting in the disabling of many transnational criminal networks related to drug trafficking, human trafficking, economic and financial fraud, and other criminal activities (Ministry of Public Security, n.d.; Pham Quy Ngo, 2011; US Department of State, 2022, 2023, 2024). The Vietnamese police also work with ASEAN countries and process thousands of requests for criminal justice assistance in locating foreign criminals who have fled to Vietnam and vice versa (Ministry of Public Security, 2021; US Department of State, 2022, 2023, 2024). The Ministry of Public Security (MPS) oversees the government's investigative process, while the Supreme People's Procuracy (SPP) handles prosecution in Vietnam (US Department of State, 2024).

In 2023, the government identified 365 suspects in 147 trafficking cases, resulting in the conviction of 198 defendants by the courts (US Department of State, 2024). Acknowledging minors as particularly vulnerable, the MPS created child-focused procedures for investigating trafficking offenses against persons

under 18 years of age, in 2021 (US Department of State, 2024). The Vietnam Police have consistently provided operational capacity to detect a variety of transborder (borderless) crimes, apprehend individuals named in international wanted lists, dismantle organized crime groups, and respond to a significant number of mutual legal assistance and extradition requests (Pham Quy Ngo, 2011). Between 1998 and 2010, the Vietnam Police reported having detected between 90,000 and 100,000 offenses per year, noting a 10.7% decline over the period, along with a threefold increase in drug arrests (Pham Quy Ngo, 2011).

4. Conclusion

The Vietnamese government's comprehensive and evolving interest in and approach to transnational crime highlights the growing awareness of the multi-faceted dimensions of TOC. Vietnam's strength-based, legal, institutional, and regional approach to TOC, combined with TOC prevention as a more holistic non-traditional security (NTS) approach to eradicating TOC at the community level, represents an important strategic tool for both a protective and preventative strategy for national sovereignty and as an asset for a more secure and resilient ASEAN Community.

After Vietnam ratified the UN Convention Against Transnational Organized Crime (UNTOC) in 2012, the country commenced aligning its legal frameworks with international best practice. The country has conducted national reviews and introduced legislation on extradition, mutual legal assistance, and legislation on anti-trafficking. The Ministry of Public Security has coordinated multilateral joint investigations and international capacity building with ASEAN partners and global partners through joint documents and frameworks like AMMTC, ASEANAPOL, and the Bali Process.

Vietnam reached some recent milestones that signify its cooperation, including hosting the 2025 signing ceremony for the UN Convention against Cybercrime and developing cooperation with the UNODC. Domestically, the country is working towards stronger border control, enhancing forensic capacity, and officer training and development, while working with many society stakeholders, including civil society organizations, the private sector, and academia.

Although progress has been made, many challenges remain. First, ASEAN's consensus-based model, which is intended to promote unity, slows institutional reform and any actions the member states may agree to on sensitive security issues. Second, due to resource constraints, corruption, and prosecutorial capacity constraints, these challenges persist for some ASEAN members, thereby limiting the regional enforcement capabilities of most ASEAN members. Vietnam needs to work to overcome the institutional limitations in the region while simultaneously



continuing efforts to advocate for stronger rule of law mechanisms and regional agreement on legal harmonization.

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Ethical and Originality Statement

The Author(s) declare that this work is original and has never been published in any form or any other media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

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