



Fact Sheet on Labor

Vietnam has made major changes to its legal framework and practices to promote labor rights and standards.

In 1992, Vietnam became an **official member of the ILO** and has since ratified 15 ILO Conventions, including four core conventions: Equal Remuneration Convention (No. 100), Discrimination (Employment and Occupation) Convention (No. 111), Minimum Age (No. 138), and the Worst Forms of Child Labor Convention (No. 182).¹ Conventions 29 and 105 on forced labor are expected to be ratified mid 2006.

- ILO experts contributed to the drafting of the 1994 Labor Code of Vietnam and the 2002 Revised Labor Code,² which provides for union recognition and collective bargaining.
 - In 2003, the US-funded a three-year ILO project to strengthen the country's industrial relations institutions and improve labor relations at the national, provincial and enterprise level.
- The U.S.-Vietnam Labor Memorandum of Understanding (2000), signed during President Clinton's trip to Vietnam, by the US Department of Labor and the Vietnam Ministry of Labor (MOLISA) established US support for technical cooperation.
 - Vietnam has made protections against human trafficking a top priority and has stepped up activities to counter the threat. Since 2000, Vietnam has been working with the ILO to combat trafficking in women and children and to eliminate labor exploitation for international laborers.
 - The Vietnam General Confederation of Labor has been collaborating with US-based non-governmental organizations to enhance the enforcement of Vietnam's Labor Laws and to protect factory workers throughout the country.³
 - In 2005, Vietnam held its first tripartite industrial relations dialogue with the Ministry of Labor, Invalids and Social Affairs, the Vietnam General Confederation of Labor and the Vietnam Chamber of Commerce and Industry. VCCI issued its first report on industrial relations, which was distributed to members and to the government, and plans to provide similar reports on an annual basis.⁴
 - More than 289 strikes were recorded from January to May 2006 a strong indication of industrialization and urbanization, which has led the National Assembly to discuss ways to improve the labor code relating to a labor-management dialogue and improve mechanisms that can address employee concerns.

¹ Labour and Social Issues Emerging from Vietnam's Accession to the WTO, (18) Paper, Ministry of Labour, Invalids and Social Affairs (MOLISA).

² Labour and Social Issues Emerging from Vietnam's Accession to the WTO, (18) Paper, Ministry of Labour, Invalids and Social Affairs (MOLISA).

³ For example, in 2004, the VGCL organized joint projects with the Asia Foundation and The International Youth Federation.

⁴ Country Reports on Supporting Human Rights and Democracy: The U.S. Record (2005-2006), released by the Bureau of Democracy, Human Rights, and Labor, April 5, 2006.

❑ **One of the key factors in bringing positive changes and protection of labor conditions has been Vietnam's integration with the international community.**

"...the VGCL [Vietnam General Confederation of Labor] had relations with 140 labor organizations in 91 countries and 20 international and regional occupational trade unions." – *Country Reports on Supporting Human Rights and Democracy: The U.S. Record (2005-2006)*, released by the Bureau of Democracy, Human Rights, and Labor, April 5, 2006.

"The **International Labor Organization (ILO) and the UNDP** continued to cooperate on a large multiyear technical assistance **program to strengthen labor law implementation**. This involved projects that encouraged job promotion for young women and improvements in occupational safety and health... The ILO also continued to implement two projects to eliminate child labor and improving industrial relations, including collective bargaining and dispute settlement." – *Country Reports on Supporting Human Rights and Democracy: The U.S. Record (2005-2006)*, released by the Bureau of Democracy, Human Rights, and Labor, April 5, 2006.

❑ **How would PNTR for Vietnam advance US interests and values such as Vietnam's compliance with international norms on labor?**

- US engagement with Vietnam has led to important changes and an on-going dialogue is likely to ensure that improvements continue.

- Vietnam's National Assembly is now reviewing an amendment to the Labor Code, which would allow independent associations to register as labor unions. Revisions are also expected to strengthen collective bargaining and the tripartite mechanism to protect workers. Government sources expect the amendment to be passed in 2006.

- Vietnam's continued integration into the global economy through its WTO accession will be an opportunity to help Vietnam promote improved labor standards according to international best practices.

- WTO accession will strengthen rule of law in Vietnam, engaging Vietnam on international agreements and institutions that promote these values.