

Labour Commitments in the EVFTA: Amendments and Supplements to Vietnamese Law and Recommendations

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Abstract

Following months of negotiations, Vietnam and the European Union (EU) signed the EU-Vietnam free trade agreement (EVFTA) on June 30, 2019 (effective from August 1, 2020). Although this agreement opens up enormous opportunities for cooperation with the EU in many trade areas, Vietnam would still ensure compliance with other non-trade provisions, particularly with the labour clauses in this agreement, in accordance with the principle *pacta sunt servanda*, which is a fundamental principle of international law. By using a synthesis research method, comprehensive assessment, and in-depth comparison with documents of the International Labour Organization (ILO), EVFTA regulations, and Vietnamese legal documents on labour, this study aims to review the amendments and modifications of Vietnam's labour law to fulfil the commitments in labour in the EVFTA, as well as provide recommendations on how to enhance the Vietnamese labour law to ensure effective implementation of these international labour responsibilities.

Keywords: EVFTA, EU, labour, commitment.

DOI: 10.7176/JLPG/125-10

Publication date: October 31st 2022

1. Introduction

The signing of the EVFTA by Vietnam and the other 27 EU countries has marked the beginning of a new era in free trade agreements (FTAs). The EVFTA is regarded by the EU as the most promising free trade agreement (FTA) that has ever been signed with a developing country. Between the two parties, up to 99% of tariff lines have been agreed to be eliminated (Delegation of the European Union to Vietnam, 2019). The EVFTA is crucial to Vietnam's strategy of international economic integration and trade liberalisation. Due to numerous commitments with high standards, the Vietnamese economy is expected to reach the same scale and quality as the EU market. It would also help Vietnam improve its competitiveness, establish a position, and make the Vietnamese market more appealing to the international community.

The EVFTA is divided into 17 chapters, with Chapter 13th emphasising the importance of promoting sustainable development. Furthermore, the parties affirm that they will uphold their obligations to promote international trade development in order to contribute to the achievement of sustainable development goals for the benefit of current and future generations. As a result, they ensure that trade and investment growth would not jeopardise employee protection, in addition to promoting mutual assistance in trade, investment, and labour policies (European Commission, 2016). The EVFTA was unprecedented in terms of both commercial and non-commercial issues, including labour responsibilities, among new generation FTAs. Despite the internal gradual improvement of institutions and laws to meet and match the requirements of this agreement, it still requires Vietnam to successfully execute the ILO's international labour documents. Notwithstanding the basic reforms and additions to the Labour Code 2019, Vietnamese labour law remains limited and inconsistent with these papers. For more details about this aspect, Vietnam has not ratified Convention No. 87-Freedom of Association and Protection of the Right to Organise, 1948, which has resulted in certain limitations in the exercise in the rights to establish, join, and operate employees' representative organisations, specifically for foreign employees in Vietnam. Besides, there is incompatibility between the content of the terms "forced labour" and "child labour" in Vietnamese labour law and international legal documents, etc. Consequently, the examination of these labour liabilities in the EVFTA would serve as a foundation and premise for determining the appropriateness of the national legal system, as well as making timely adjustments and improvements to Vietnam to participate in the global trade market while also safeguarding the country's long-term development.

2. Research methods

In three steps, this study used the method of comparing, analysing, and evaluated alterations, extensions, and improvements in Vietnam's labour law so as to ensure labour commitments in the EVFTA:

Firstly, studied the content of EVFTA labour criteria, focusing mainly on the freedom of association and the recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the abolition of child labour; and the elimination of discrimination in respect of employment and occupation, as embodied in ILO conventions.

Second, examined the revised and supplemented components of the Labour Code 2019 in Vietnam, comparing and evaluating them with ILO conventions and highlighting the sectors that the Labour Code 2019 is suitable or unsuitable for ILO conventions as well as EVFTA engagements in labour.

Third, researched and compared the ILO and its member country experiences with regard to the Labour Code 2019 provisions that have not yet complied with the EVFTA's labour agreements, and then proposed recommendations on completion of the labour law in Vietnam in order to effectively carry out these commitments.

3. Literature review

The researches relevant to the topic has been classified into two major categories:

3.1. Research on the EVFTA and labour commitments in the EVFTA

Some research works by the following authors can be mentioned for this group:

Tran Tuan Son compared Vietnamese legislation on the rights to free association and collective bargaining to the Comprehensive and Progressive Trans-Pacific Partnership Agreement (CPTPP) and the EVFTA standards. As a result, a number of improvements to the relevant segments of Vietnamese legislation are suggested (Tran, 2020). Tong Van Bang investigated the labour field in new generation FTAs, such as the CPTPP and the EVFTA, and proposed a number of solutions to assist Vietnam in applying these commitments (Tong, 2020). Le Thi Thuy Huong researched Vietnam's ratification of core ILO conventions to serve as the basis for EVFTA's implementation of labour liability. This study analysed the challenges that Vietnam would face in ratifying the remaining core ILO conventions and implementing the EVFTA conclusion in labour as well as making recommendations to ensure that these responsibilities can be undertaken (Le, 2019). When Vietnam joined the EVFTA, however, many parts of this study became irrelevant because they were based solely on the Labour Code 2012 (expired) and the articles of the Labour Code 2019 were not also evaluated. Ngo Duc Vinh and Ngo Quoc Chien assessed the challenges of translating labour rules in FTAs into Vietnamese law (Nguyen and Ngo, 2020). Cuc Nguyen and Phuoc Huu Ngo conducted research on the abolition of child labour in Vietnam under the new generation of FTAs (Nguyen and Ngo, 2022). Khuyen Hoang Kim and Nguyen Thu Dung carried out research on child labour and poverty reduction in Vietnam, providing comprehensive implications for Vietnamese legal policy (Hoang and Nguyen, 2021).

Thus, these study either focused on one aspect (non-comprehensive) of the EVFTA's commitments in labour or simply studied the commitments themselves without comparing them to the changes and upgrades proposed to the Vietnamese labour law to comply with the EVFTA.

3.2. Research on amendments and supplements to Vietnam's labour law since Vietnam joined the EVFTA

There are a few domestic studies that can be mentioned by the authors:

Tran Thi Thuy Lam and Do Thi Dung analysed and commented on some new points in the Labour Code 2019, including: general units and specific regulations on employment contract; dialogue in the workplace; collective bargaining; collective bargaining agreement; wages; working hours; rest time; and labour discipline (Tran and Do, 2021). Nguyen Huu Chi and Nguyen Van Binh examined and discussed each article of the Labour Code 2019 pertaining to general and explicit clauses on employment, recruitment, labour management, employment contract, vocational education and occupational skill development, wages, and labour discipline (Nguyen and Nguyen, 2021). Nguyen Le Thu evaluated the subjects of application of the Labour Code 2019 in comparison to the previous Code's corresponding clauses (Nguyen, 2020).

As a result, no research has been conducted on legislative changes and enhancements to Vietnam's labour law for the purpose of matching and meeting the requirements of the EVFTA.

In conclusion, it can be said that no research has been undertaken on the EVFTA labour commitments as well as the revision, supplementation, and development of Vietnamese labour law in order to match and fulfil the EVFTA commitments in this sphere.

4. Labour commitments in the EVFTA: Amendments and supplements to Vietnamese legislation and recommendations

As a new generation FTA between Vietnam and the 27 EU Member States, the EVFTA represents a significant milestone in Vietnam-EU trade relations. It is a comprehensive new generation agreement and the first FTA between the EU and a developing nation (Nguyen, 2022). The EVFTA is comprised of 17 chapters, two protocols, and a number of memorandums of understanding. It demonstrates a wide range and high level of engagement, encompassing both commercial and non-commercial commitments (shown in the sector of sustainable development, including agreements on labour) (VCCI, 2019). Vietnam, as an EVFTA member, must adhere to these provisions, and this is known as *pacta sunt servanda*, a fundamental principle of international law (United Nations, 2005). If Vietnam did not adhere to international obligations and treaties, it would be subject to international legal liability. Therefore, for Vietnam to be able to engage in extensive international collaboration, research on the EVFTA agreements on labour, as well as the revisions and additions to Vietnam's labour law required to meet the demands of these commitments, are essential.

4.1. Labour commitments in the EVFTA

To ensure that the FTA contributes to the protection of employee rights and a more equitable distribution of economic benefits, the EVFTA requires Member States to continue and maintain ongoing efforts to ratify all 08 fundamental ILO conventions (ILO, 2018). Of the 17 chapters of the EVFTA, the 13th chapter on “Trade and Sustainable Development”, besides the content on sustainable environmental protection, emphasises labour rights (MOIT, 2019). Accordingly, the parties commit to a number of key points as follows:

Firstly, they are about to promulgate and amend laws and policies in strict conformity with internationally recognised standards;

Second, the parties affirm their commitments, full their obligations under the ILO and the *ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up*, adopted by the International Labour Conference at its 86th Session in 1998, to respect, promote and fully enforce the principles concerning the fundamental rights at work, namely:

a) The freedom of association and the effective recognition of the right to collective bargaining: This principle is embodied in C087–Freedom of Associations and Protection of the Right to Organise Convention, 1948, and C098–Right to Organise and Collective Bargaining Convention, 1949, hereinafter referred to as “Convention C087” and “Convention C098”, respectively.

b) The elimination of all forms of forced or compulsory labour: This guiding principle is formalised in C029–Forced Labour Convention, 1930, and C105–Abolition of Forced Labour Convention, 1957, hereinafter referred to as “Convention C029” and “Convention C105”.

c) The effective abolition of child labour: This principle is codified in C138–Minimum Age Convention, 1973 and C182–Worst Forms of Child Labour Convention, 1999, referred to respectively as “Convention C138” and “Convention C182”.

d) The elimination of discrimination in respect of employment and occupation: This principle is compiled in the C100–Equal Remuneration Convention of 1951 and the C111–Discrimination (Employment and Occupation) Convention of 1958, also known as “Convention C100” and “Convention C111”.

Third, each party shall make continued and sustained efforts to ratify the fundamental ILO conventions, to the extent that it has not yet done so; consider ratifying other conventions classified as up to date by the ILO, taking into account its domestic circumstances; and exchange information with the other party regarding the ratifications mentioned.

Fourth, each party reaffirms its commitments to strictly adhere to the ILO conventions ratified by Vietnam and the Member States of the European Union through their local laws, legal guidelines, and practical application.

Fifth, neither side will use labour standards for commercial protection, nor will they view violations of fundamental principles and rights in labour as a legitimate comparative advantage. In addition, corporate social responsibility (CSR) is promoted through the sharing of knowledge and positive experiences, as well as through educational activities such as education, training, and technical consulting.

Because of this circumstance, Vietnam has attempted to incorporate the obligations of the agreement into national law so that they can be enforced. Out of a total of 25 ILO Conventions, 07 out of 08 ILO Conventions on Fundamental Rights at Work have been ratified and entered into force in Vietnam (23 conventions are in effect) (ILO, 2022). The ILO views these 8 conventions as a statement of the most fundamental rights that all countries should strive to protect for their employees (ADB and ILO, 2006). Only Convention C087, a companion to Convention C098, has not yet been approved; its ratification is expected for 2023. In addition to ratifying ILO agreements, Vietnam has endeavoured to alter and enhance its national legislation to comply with ILO treaties and EVFTA labour requirements.

4.2. Amendments and supplements to Vietnamese legislation within the context of the EVFTA

To fulfil its obligations under new generation FTAs such as EVFTA, Vietnam is primarily revising and enhancing the Labour Code 2019, especially the regulations governing three groups of fundamental labour standards (except for the group of labour standards related to the elimination of all forms of forced or compulsory labour, there is no change compared to the previous Labour Code 2012). With great efforts in institutional improvement, it can be seen that legislators have made fundamental and comprehensive adjustments and modifications to the Labour Code 2019 to serve the needs of the labour commitments in the EVFTA as well as in ILO conventions. Overall, the components of these conventions have been appropriately incorporated into the national legislation in Vietnam, but there are still some limitations.

4.2.1. For the commitments to freedom of association and the effective recognition of the right to collective bargaining

For the first time, the Labour Code 2019 states that, in addition to trade unions, employees have the rights to establish, join, and operate employees' organisations at enterprises (collectively referred to as grassroots-level employees' representative organisations). When the prescribed conditions are met, the employees' organisation must register with competent state agencies (Articles 170 and 172). Furthermore, the Code includes two safeguards for grassroots-level employees' representative organisations: protection from employer discrimination in employment for employees and members of the representative organisations; and protection from employer intervention and manipulation of employees' representative organisations (Articles 175, 176, 177). At the same time, the Code provides guidance on collective bargaining in case of that there may be multiple employees' representative organisations at enterprises (Articles 68, 69, 70).

The expansion of the rights to establish, join, and operate employees' organisations at the grassroots level is consistent with Convention C087, as it avoids the situation where there is only one employees' representative organisation (trade union) as there was previously (Nguyen and Nguyen, 2021). Although the rights of employees to form, join, and run employee organisations are guaranteed by the Labour Code 2019, these rights appear to be limited by the lack of clarity in the legal documents. For more details, there are currently no binding or stringent rules governing the order and procedures for creating employees' representative organisations at businesses, and they are about to accept only grassroots-level employees' representative organisations. On the other hand, this could be in violation of ILO Convention C087, in particular, Article 2 of the Convention states: "Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation".

4.2.2. For the commitments to eliminate all forms of forced or compulsory labour

Although the Labour Code 2019 retains the provisions on this subject from the previous Labour Code, Vietnam's labour law has enshrined many of the contents of Convention C029 and Convention C105. As a result, the following definition of "forced labour" is included in Article 3: "Forced labour means the use of force or threat to use force or other tricks to force an employee to work against his/her will". The Code also entitles employees to work, freely choose jobs, and not be forced to work at the workplace, and it prohibits employers from using forced labour (Articles 5, 8). Even if compelled to work, employees have the right to unilaterally and without notice terminate their employment contracts (Article 35). Nonetheless, it is evident that the regulation and application of the term "forced or compulsory labour" in Vietnamese labour law are more limited than those of the ILO since "forced labour" is defined in paragraph 1 of Article 2 of Convention C029 as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily". Furthermore, the current statute, which is qualitative but not concrete, does not have explained actual forms of forced labour behaviour, notably in the context of increased, diversified, and sophisticated forced labour now (ILO and IOM, 2022), and then it would generally interfere with the application of legislation to eliminate forced labour in Vietnam.

4.2.3. For the commitments to the effective abolition of child labour

On the one hand, the Labour Code 2019 is becoming increasingly comprehensive for minor workers, as it protects them both in the formal and informal sectors without labour relations (ILO, 2020). At the same time, it strengthens the role of parents and guardians, as well as state agencies, in supervising and protecting workers under the age of 13 (Article 144). On the other hand, the law continues to respect children's right to work, and it prescribes definite regulations on working conditions such as different jobs, workplaces, and working hours for three different age groups for employees under 18 (Article 143). However, the definition of "child labour" in Vietnam has yet to be determined, resulting in disagreement with ILO international documents. "Child labour" in Vietnam is defined as a person under the age of 16 who participates in the labour market and is part of the juvenile workforce, according to current legal documents (Nguyen and Ngo, 2022). This conduces to an

inconsistent interpretation of the term “child” in Article 2 of Convention C182, which defines a “child” as anyone younger than 18 years old. Therefore, 16-to-18-year-old workers in Vietnam are generally excluded from child labour laws and may not be adequately protected in accordance with international standards in child labour.

4.2.4. For the commitments to eliminate discrimination in respect of employment and occupation

The Labour Code 2019 revisions include several new provisions aimed at eliminating discrimination in the workplace. The 07 categories of discrimination added by the Code are as follows: race, national or social origin, age, pregnancy status, political view, family responsibility, and situations that would not be viewed as discrimination (Article 3). In addition, some humanitarian rules were amended and reinforced to achieve gender equality and help female employees in their desire for parenthood (Articles 136, 140, and 141). Specifically, for this group of workers, shifting from protecting them by prohibiting regulations to empowering them to make their own decisions on issues like whether or not to do the work that may negatively affect reproductive function and child rearing (Article 142); or whether or not to work at night, work overtime, or go on a business trip while raising a child under 12 months of age (Article 137); and other enhanced maternity protection measures are very positive. Furthermore, the Code strengthens workplace sexual harassment prevention by defining “sexual harassment” and requiring employers to develop and implement control measures (Articles 3, 6). And one future roadmap would be introduced to narrow the gender retirement age gap (Article 169). Finally, law changes and renovations to strengthen the protection of vulnerable worker groups and ensure non-discrimination are reoriented and more detailed, such as allowing workers with disabilities to decide whether they intend to do heavy, hazardous, or dangerous jobs based on sufficient information and guaranteed occupational hygiene and safety (Article 160) and granting elderly employees flexible rights to work (Articles 148 and 149). Although the Labour Code 2019 has effectively conveyed the majority of ILO Conventions on anti-discrimination in the workplace, Vietnam should still consider modifying and updating the ILO’s guiding documents and recommendations, as well as those of the EU when participating in the EVFTA, so as to stay up with new trends and provide a secure and equitable workplace in which all employees can develop their skills. For instance, the ILO identifies “sexual orientation” (ILO, 2007) as a discriminatory factor in its reports and publications, whereas Vietnamese law completely disregards it.

4.3. Conclusions & Recommendations

Despite efforts to modify and upgrade Vietnam’s current labour law, there are still some issues that need to be resolved to formally adopt the EVFTA labour agreements:

First, Vietnam’s labour law should clarify and expand the rights to establish, join, and operate employee representative organisations.

The Labour Code 2019 allows employees to establish, join, and operate employees’ representative organisations through their grassroots-level trade unions or representative organisations registered with competent state agencies. This is especially significant for foreign employees in Vietnam, as Vietnamese trade unions only recognise the rights of Vietnamese workers to form, join, and operate trade unions (Article 5 of the Trade Union Law 2012). However, at the time of this study, the Labour Code 2019 and its guiding documents have not had clear and strict regulations on the order and procedures for the establishment of employees’ representative organisations at enterprises. This has somewhat made it more challenging for foreign workers in Vietnam to form, join, and run their representative organisations. Furthermore, in comparison to international labour standards on freedom of association, the provisions of the Labour Code 2019 are incompatible with these rules because employee organisations are only able to be established at the enterprise level and operate in grassroots-level labour relations (Nguyen and Nguyen, 2021). It is possible that restricting employees’ rights to establish, join, and operate representative organisations does not entirely comply with the aforementioned criteria of Article 2 under Convention C087. Moreover, this also demonstrates that Vietnam’s labour code is contradictory to the legal systems of other nations, such as: Chile (Article 365, Labour Law 1976); Argentina (Labour Law 1975); Russia (Article 2, Law on Trade Unions); China (Article 3, Law on Trade Unions); Cambodia (Article 270, Labour Law) (Dao, 2015). In the near future, therefore, in addition to the urgent need to ratify ILO Convention C087, it would be essential for documents related to the Labour Code 2019 to be overhauled and consistent to make sure that the rights to form, join, and run employee-representative organisations are carried out in a way that is both descriptive and more expansive.

Second, according to ILO Conventions, the labour law in Vietnam should revise the regulatory scope and application of the phrase “forced or compulsory labour”.

Forced labour is a challenge for all nations, employer groups, and workers in general (ILO, 2001). Convention C029 defines “forced or compulsory labour” as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily” (Article 2). “Any person” here can be anyone, of any gender, engaged in a labour relationship or not (Nguyen, 2016). “All work or service” is not restricted to entering and fulfilling an employment contract or labour

relations but can be any legal or illegal activity or service (Nguyen, 2016). According to the Labour Code 2019, the concept of forced labour appears to apply only to those who engage in labour relations. Those who do not participate in a labour engagement may be excluded from consideration (Phan, 2015). Moreover, if the Labour Code 2019 only mentioned forced labour as “the use of force or threat to use force or other tricks to force an employee to work against his/her will”, then Convention C029 is not limited to acts of force or threats of force, but can also be physical restriction or deprivation of liberties and other privileges of the person affected by forced labour, even their relatives (Dao and Mai, 2015). As a result, in order for Vietnam to unify in awareness and action in conjunction with the spirit of the ILO international conventions in this regard, it would be necessary to make more appropriate adjustments to the approach to defining “forced labour” and to develop a more effective identification mechanism for some time to come (ILO, 2012).

Thirdly, the labour law in Vietnam should be in line with the ILO’s international convention on child labour.

The Vietnamese labour legislation does not define “child labour” or the age at which it is declared to be “child labour”. There is now only an age-based definition of “minor worker”. A “minor worker” is defined as someone under the age of 18 in Article 143 of the Labour Code 2019. Meanwhile, Article 1 of the Law on Children 2016 defines a “child” as a person under 16. This is similar to how children are defined in Indonesia (Edo Fernando, 2020). According to this, “child labour” is defined as a person under the age of 16 years old who works in the labour market and is classified as part of juvenile labour (Nguyen and Ngo, 2022). This article, however, leads to an inconsistent interpretation of the term “child” cited in Convention C182. To go into detail, the term “child” is defined in Article 2 of the Convention as any individual under 18 and with that explanation, “child labour” refers to employees under the age of 18. In this regard, there is a discrepancy between Vietnamese and international law. Since the manner in which international law regulates this labour group is more advantageous and seemingly appears to protect them better, it is believed that Vietnam's labour law should be revised and altered to conform to international labour standards. Besides, prior to the age of 18, adolescents have not reached full physical and cognitive maturity and have not been qualified to conduct adult-level jobs. This group should receive special social incentives to help them mature and meet the age requirement to enter the workforce in the future. In light of this, it is necessary for Vietnam to amend its legal guidelines regarding the definition of a child in synchrony with international law.

Fourth, the anti-discrimination guidelines established by the ILO, the EU, and other countries’ experiences should be reinforced and enhanced in the labour law in Vietnam.

Accordingly, the principle of eradicating discrimination on the grounds of employment and occupation based on “sexual orientation” should be codified. This is fully in accordance with Convention C111, which Vietnam adopted in 1997. For more detailed explanations, while the Convention’s focus is on establishing broad frameworks of equality and anti-discrimination in the context of employment, governments are also allowed to extend protections to address discrimination on other grounds besides the 07 fundamental types of discrimination in the workplace (race, colour, sex, religion, political opinion, national extraction, or social origin) (Article 1) (ILO, 2018). In addition to this, some of the ILO documents which explicitly address the prohibition and prevention of discrimination on this basis (ILO, 1997) and (ILO, 2010). More relevantly, the ILO’s CEACR (Committee of Experts on the Application of Conventions and Recommendations) also praises the addition of “sexual orientation” as a foundation for forbidding discrimination in some circumstances, such as in Bosnia and Herzegovina and Argentina (ILO, 2018). In global terms, the EU and many other nations have recently made “sexual orientation” an indicator for prohibiting workplace and profession discrimination. All forms of discrimination based on this standard are banned under Article 21 of the Charter of Fundamental Rights of the EU (Olivier De Schutter, 2016) and the Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (European Commission, 2008), whereby EU Member States must internalise equality regulations consistent with those of the Union. In other nations, such as Ecuador, sexual orientation is part of the Constitution. This criterion has been integrated into the common labour laws of Australia, China, Mauritania, and Mozambique, as well as addressed in human rights legislations and other particular anti-discrimination and equal treatment laws, such as in Canada, Mexico, Malta, and South Africa (ILO, 2018).

Fifth, during the implementation of the EVFTA, enterprises in Vietnam should actively pay attention to, investigate, and take appropriate action regarding issues related to labour expectations when participating in international trade integration.

The EVFTA represents an opportunity to promote EU-Vietnam value chain integration via increased FDI activity and expanded bilateral trade in intermediate goods and services between the EU and Vietnam thereby opening up job opportunities, employing more workers as well as improving incomes for workers in this developing country (European Commission, 2019) and (The World Bank, 2020). When EVFTA labour issues have already been essentially internalised into the Labour Code 2019, corporations need to ensure that the requests for this Code are fully performed. Furthermore, Vietnamese businesses, particularly those which

manufacture goods for foreign brands and then export them to markets such as the EU and the United States, frequently receive requests from their partners to follow codes of conduct that include labour-related requirements to reflect corporate social responsibility (CSR) (Ciesielska and Nguyen, 2019), even though these rules are not obligatory, they do provide increased benefits and improved working conditions for employees (Sobczak, 2006). As a consequence, we recommend that enterprises in Vietnam should not only strengthen their accountability as prescribed in the Vietnamese Labour Code, but also the provisions included in the partners' code of conduct, so as to demonstrate their social responsibility in the integration process, especially when participating in international trade.

The signature of the EVFTA and the new generation of FTAs welcomes Vietnam into a period of integration with numerous prospects and obstacles. The liability to improve Vietnam's labour legislation for the sake of imposing labour commitments in the EVFTA through research necessitates continuing to examine, alter, and supplement the labour law in a systematic, synchronous, and internationally compliant manner. Consequently, this nation would be able to approach and harness the EU's potential through the integration process, adhering to international law standards in general and labour law norms in particular, even while maintaining the country's sustainable growth.

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