



Vietnam's policies and the role of the country of origin in the integration process of migrant workers in the EU

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ABSTRACT

The European Union has become a new ideal destination for Vietnamese migrant workers in recent years, but with this comes challenges in integrating into the labour market and society of host countries. Integrating third-country migrant workers has been a top priority in the EU's policies for many years, and the role of the country of origin in the integration process of migrant workers is also increasingly being recognized. This article focuses on the role of the country of origin and analyses Vietnam's current policies to see whether they support the integration process of Vietnamese migrant workers into the EU. Based on the evaluation, recommendations are made to strengthen Vietnam's legal mechanisms to enhance the effectiveness of the integration process for Vietnamese migrant workers.

KEYWORDS

Integration; country of origin; migrant workers; policies; Vietnam; European Union

The European Union (EU) has become increasingly attractive to migrants in recent years, due to its favourable geographical location, stability and potential for high income (European Parliament 2019). Third-country nationals,¹ or non-EU residents, constitute a crucial component of the EU's workforce, and statistical data from 2022 show that the number of third-country nationals residing in EU Member States had reached 23.7 million, accounting for 5.3% of the EU's total population.² Integrating migrants into the labour market and society has been a top priority of EU policy for nearly two decades, as evidenced by various policy documents, including the Europe 2020 Strategy (European Commission 2010), the European Agenda for the Integration of Third-Country Nationals (European Commission 2011), and the European Council's multi-annual programmes.³

The 2011 Agenda for the Integration of Third-Country Nationals, launched by the European Commission (2011), recognized the multifaceted nature of integrating migrants, involving not only the immigrant and the destination country but also their country of origin. Numerous nations globally are striving to augment their relationship with their migrant populations by extending diverse forms of support and aid, such as

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¹The term 'third-country national' is used as defined by the European Commission and refers to a person who is not a citizen of the European Union and is not entitled to free movement, available at: https://ec.europa.eu/home-affairs/pages/glossary/third-country-national_en

²Eurostat statistical data, 30 March 2022. Retrieved from <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20220330->

³The Tampere (1999), The Hague (2004) and Stockholm (2009) European Councils.

streamlining the return of migrants to their home country, offering consular assistance to expatriate nationals, and incentivizing migrants to engage in remote economic and political endeavours (Østergaard-Nielsen 2016). Migrants often encounter two policy systems: the integration policy of the host country and the migration policy of the country of origin (Unterreiner and Weinar 2017).

Vietnam, a developing country in South East Asia, has made labour export an integral component of its socioeconomic development strategy. Since 2006, over one million Vietnamese workers have sought employment abroad (MOLISA 2019), with approximately 150,000 Vietnamese workers annually travelling abroad, generating an impressive revenue of approximately US\$2.5 billion that is remitted back to Vietnam (Kim Thanh 2019). Notably, the Vietnam-EU Partnership and Cooperation Agreement (PCA) and the European Union–Vietnam Free Trade Agreement (EVFTA) have opened up further opportunities for Vietnamese workers to pursue economic advancement in Europe (Giang Nam 2021). In 2022, the latest figures from Department of Overseas Labour (2023) revealed that a significant number of Vietnamese workers were employed in several EU countries, with Hungary hosting 775 workers (325 women), Romania with 721 workers (155 women), and Poland with 494 workers (86 women). Notably, these countries ranked sixth, seventh and eighth, respectively, among the top destinations for Vietnamese migrant workers. Unlike the traditional markets of Japan and Korea, which prioritize foreign language ability over high vocational skills for workers, Europe, as a new job destination, demands that labourers undergo training to excel in various occupations within factories, workshops and construction sites (MOLISA 2023). As Europe offers new occupations with stable jobs and attractive incomes, the task of gradually increasing the number of Vietnamese workers in this region has been set by the government and the Ministry of Labour - Invalids and Social Affairs of Vietnam (CPV Online Newspaper 2023). However, although working in Europe offers significant advantages, integration challenges, such as cultural and linguistic differences, as well as strict immigration policies and regulations, may be different from those experienced in more traditional destinations for migrant labourers (DOLAB 2023).

This article examines the current national policies of Vietnam to evaluate their effectiveness in supporting Vietnamese migrant workers in the process of integrating into the EU. Based on this evaluation, it proposes recommendations for domestic legal reforms. To achieve this objective, the article first describes the role and influence of the country of origin on migrant workers in the integration process. It then examines Vietnam's current policies on labour migration based on this approach. Finally, the article offers recommendations for legal reforms to enhance the effectiveness of the integration of Vietnamese migrant workers in the EU.

The role of country of origin

Integration is a three-way process

In the early research on the concept of 'integration' in migration, it was often viewed as a two-way process of mutual adaptation between migrants and host societies. In 2003, the European Commission introduced a definition of integration in its Communication on Immigration, Integration, and Employment (2003). According to this definition,

integration is a two-way process based on the mutual rights and corresponding obligations of legally resident third-country nationals and the host society, which ensures the full participation of immigrants. Integration is also described by Rinus Penninx as a process that involves the participation of two parties: the immigrant and the host society, one with distinct characteristics making adaptation efforts, and the other engaging by cooperating with certain institutions. While both parties are involved in this process and must make adaptation efforts, they are not equal in power or influence, as the receiving society holds more power and has greater access to institutional structures that can facilitate or hinder the integration process (Penninx 2003). In 2004, the Council of the European Union endorsed the Common Basic Principles for Integration Policy, which serves as the foundation for EU policy cooperation on the integration of immigrants. These principles consist of eleven non-binding articles that member states can use to evaluate their own efforts. The first article of these principles defines integration as ‘a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States’ (Council of the European Union 2004). The International Organization for Migration (IOM), a leading intergovernmental organization for migrants and a part of the United Nations, has provided a broad definition of ‘integration’ as a process of mutual adaptation between the host society and the migrants themselves, whether as individuals or groups (IOM 2012).

As new perspectives on the integration process have emerged over time, migration researchers have begun to recognize the importance of the country of origin. The European Commission, in its 2011 European Agenda for the Integration of Third-Country Nationals, also acknowledged that the integration process for third-country nationals is not simply a two-way process between the immigrant and the destination country, but rather a three-way process that also involves the country of origin (European Commission 2011). Accordingly, countries of origin can play a pivotal role in facilitating the integration process of their nationals into the host societies by undertaking a tripartite approach, comprising: (1) preparing their citizens for the integration process before their departure to the host countries, (2) offering support to their nationals during their stay in the host countries, such as via diplomatic missions or consular services; (3) assisting with the temporary or permanent return of their migrants, armed with the experience and knowledge gained while abroad. (European Commission 2011).

The concept of transnationalism has introduced new perspectives for researchers studying the integration process (Mügge 2016; Van Ewijk and Nijenhuis 2016), with attention given to the relationship between individuals and their country of origin, including issues such as remittances and investment in their homeland, as well as the relationship between the government of the country of origin and the country of destination (Garcés-Masareñas and Penninx 2016). The concept of migrants living in a ‘transnational space’ has been introduced (Unterreiner and Weinar 2017), where migrants are seen as belonging to two distinct societies with connections to friends and family in both locations (Vertovec 2009).

Østergaard-Nielsen’s (2016) study, investigating basic patterns related to country of origin policy – with a particular focus on countries where migrants have arrived in the EU – found that policies of the country of origin can have an impact on the integration of migrants in several ways, such as strengthening the right to free movement of their own citizens abroad and calling for greater protections for their migrant workers. In

some cases, countries of origin have shifted their stance on migrants from viewing them as leavers to supporting them in the country of destination (e.g. Morocco and Turkey), driven by challenges of reintegration and unemployment, as well as exchange-rate differences with the destination country (Venturini 2017).

The influence of the country of origin on the integration process

The country of origin's influence on the integration process can be classified into two types: effect and impact (Unterreiner and Weinar 2017). The effect of the country of origin can be observed in two aspects – endogenous (such as human capital, language, education) and exogenous (beliefs and opinions about people from the same country) – which can affect migrants during integration either directly (such as difficulty in language communication) or indirectly (through discrimination). Meanwhile, the impact can be seen of the policies of the country of origin towards migrants, including vocational training and language policies before leaving the country, or international agreements that facilitate migrants in the labour market of the destination country (Unterreiner and Weinar 2017). Although policies may have unforeseeable consequences, their impact is clear and measurable in the integration process.

To better understand the actions supporting the integration of the country of origin, research by Martin and Makaryan (2015) has distinguished these actions into three stages: pre-migration, during-migration, and post-migration, while other studies have categorized them into different functional groups, such as creating human and social capital, influencing destination country laws, and supporting job search and promotion (Venturini 2017). From either perspective, it is evident that the country of origin has a significant impact on the comprehensive integration process of migrants.

Migration is not always permanent, as migrants may return to their home country, migrate in circles, or move to another country. The length of their stay in the destination country has a significant impact on the effectiveness of integration. The policy of the country of origin regarding nationality also affects the length of migrants' stay in the destination country. Countries that accept dual citizenship are more likely to encourage permanent settlement, whereas those that force their citizens to give up their old citizenship for a new one may discourage it. Other actors, such as family members who remain in the country of origin, can also play an important role in the migrants' decision to return (Venturini 2017). Research by Jacobs and Unterreiner (2017) has shown that educational attainment affects the accessibility and status of migrants in the labour market, their income levels as well as their housing. Their study also confirms that, as the policies of the destination country clearly affect migrant children's educational attainment, the role of countries of origin in this regard has been relatively neglected. Nevertheless, it still has a certain impact (Jacobs and Unterreiner 2017). The skills or qualifications acquired by immigrants in their country of origin are often underestimated in the country of destination, where they are often perceived as being of lower quality and difficult to transfer, or they are poorly understood by employers (Kanas and Van Tubergen 2009).

Migrant participation in organizations is a significant factor in the integration process. Hometown associations, in particular, serve as a point of connection and a means for migrants to affirm their attachment to their country of origin (Brettell 2005). These

associations not only bring together immigrants from the same country and promote the culture and language of the destination country, but they also provide material and spiritual support and help immigrants maintain relationships. They serve as a local point of contact and organized coordination between immigrants, host governments and other organizations (Somerville, Durana, and Terrazas 2008). Such migration organizations are not only spontaneously initiated by migrants but can also be established formally, with the encouragement and support of the country of origin; in such cases, the effect of the country of origin is pronounced (Gabrielli, Gsir, and Zapata-Barrero 2017).

Acquiring citizenship in the country of residence can increase the chances of finding a good job with a higher income and better opportunities for advancement (Liebig and von Haaren 2011), which can significantly impact the effectiveness of integration. For many migrants in certain countries, gaining EU citizenship can be a life-changing event, and this can be influenced by the diaspora policies of the country of origin, which aim to maintain connections with their citizens, particularly in the area of dual citizenship (Vink, Prokic-Breuer, and Dronkers 2017, 201).

Countries of origin have invested in measures to enhance the inclusion of migrants, and their governments can influence inclusion policies in the destination country through bilateral agreements that create favourable terms for specific groups, such as students and high-quality workers (Desiderio and Weinar 2014). Some migration policies, while not directly aimed at integration, can still support it; for instance, teaching the language of the destination country can improve employability (Venturini 2017). On a more direct and specific level, to support migrant integration, international cooperation can focus on key elements such as the labour market, nationality cooperation, culture, and education, which can be addressed through various levels of cooperation from bilateral to global frameworks. Bilateral agreements are particularly effective as they are binding and directly related to the interests of the parties involved (Weinar, Desiderio, and Thibos 2017, 225–251).

Based on the above analysis, it can be inferred that the country of origin can impact the integration process of migrant workers through policies related to nationality, skills training, organizations supporting migrant workers, remittances, and bilateral and multi-lateral agreements with destination countries. Thus, the following section of the article will examine Vietnam's policies concerning these aspects to evaluate their impact on the integration of Vietnamese migrant workers in the EU.

Integration in Vietnam's policies

General policies on integration for Vietnamese migrant workers

The primary legal framework governing migrant workers in Vietnam is the Law on Vietnamese Guest Workers 69/2020/QH14,⁴ which outlines the rights, duties and responsibilities of Vietnamese workers, enterprises and government entities involved in overseas labour. This Law also aims to enhance workers' skills and knowledge, including foreign language proficiency, and establishes the Fund for Overseas Employment Support. In addition, it sets policies towards workers and the state's management of Vietnamese

⁴In some other official documents, it is also known as Law on Contract-Based Vietnamese Overseas Workers 69/2020/QH14. See https://www.ilo.org/dyn/migpractice/migmain.showPractice?p_lang=en&p_practice_id=208.

workers seeking employment abroad. Five sub-law documents to enforce the provisions of Law No. 69/2020/QH14 were also signed in December 2021 and entered into force in January 2022. These five documents stipulate a Fund for Overseas Employment Support (Decision No. 40/2021/QD-TTg); penalties for administrative violations in the fields of labour, social insurance, and overseas manpower supply under contract (Decree No. 12/2022/ND-CP); detailed regulations on the implementation of the Law (Decree No. 112/2021/ND-CP); a database system of Vietnamese guest workers (Circular No. 20/2021/TT-BLDTBXH); and detail a number of articles of the Law (Circular No. 21/2021/TT-BLDTBXH). The International Labour Organization (ILO) has lauded the Law on Vietnamese Guest Workers for reinforcing the safeguards for migrant workers as compared to earlier Vietnamese legislation (ILO 2020).⁵ However, it should be noted that this Law does not have a specific provision on integration issues for Vietnamese workers during their time working abroad. Rather, it focuses only on the encouragement and support for workers to reintegrate into Vietnamese society upon their return home.

While the issue of integration for migrant workers in the destination country is not explicitly mentioned in the most significant legal document governing the sending of Vietnamese workers to work abroad, it has long been acknowledged in the policy documents of the Politburo of the Communist Party of Vietnam.⁶ Resolution No. 36/NQ-TW on overseas Vietnamese affairs, promulgated by the Politburo on 26 March 2004, recognizes overseas Vietnamese⁷ as an integral part and resource of the Vietnamese community. The resolution emphasizes the policy of the Party and State to create favourable conditions and encourage overseas Vietnamese to integrate into the society of the host country while maintaining close ties to the home country. Throughout the past twenty years, this policy has been maintained and implemented in an increasingly strong and comprehensive way through various documents such as Directive No.45-CT/TW dated 19 May 2015; Conclusion No.12-KL/TW dated 12 August 2021; and especially Resolution No. 169/NQ-CP of the Government on promulgating the Action Plan for the period 2021–2026.

Policies related to integration for migrant workers

Citizenship regime

The Law No. 24/2008/QH12 on Vietnamese Nationality embodies the fundamental tenet of Vietnamese nationality, in which the Socialist Republic of Vietnam recognizes individuals with singular citizenship as possessing Vietnamese nationality. According to Articles 13, 19, 23 and 37 of the Law on Vietnamese Nationality, in a few exceptional scenarios, Vietnam permits the holding of dual citizenship, including for those individuals authorized by the state president to naturalize or restore Vietnamese nationality, Vietnamese expatriates who have not forfeited their Vietnamese nationality before 1 July 2009, and

⁵Law on Vietnamese Guest Workers No. 69/2020/QH14 was issued to replace the Law on Vietnamese Guest Workers No. 72/2006/QH11.

⁶The legal system of Vietnam exhibits characteristics of socialism, with the Political Bureau of the Central Committee of the Communist Party of Vietnam serving as the highest authority of the Party. This bureau possesses the authority to provide directives on the overall direction of the government and issue top-level policy documents.

⁷'Overseas Vietnamese' (*Người Việt Nam ở nước ngoài*) is the term used for the community of migrants who go abroad to study or unite with their families.

adopted children. Additionally, according to Article 2 and Article 31, Vietnamese legislation does not explicitly forbid the possession of dual citizenship by Vietnamese citizens, and only acts that threaten the independence or reputation of Vietnam would lead to the deprivation of Vietnamese nationality.

The legal framework in Vietnam demonstrates a strong connection between the State and its diaspora, including migrant workers. Article 18 of the 2013 Constitution of the Socialist Republic of Vietnam unequivocally asserts that the State of the Socialist Republic of Vietnam protects Vietnamese citizens residing overseas. Moreover, Article 6 of the Law on Vietnamese Nationality explicitly stipulates that the State of the Socialist Republic of Vietnam safeguards the legitimate interests of Vietnamese citizens abroad. State authorities both in Vietnam and overseas, including Vietnamese representative offices abroad, are obligated to employ all necessary measures in accordance with relevant national and international laws and regulations to ensure the protection of overseas Vietnamese citizens.

Remittances

The burgeoning number of Vietnamese nationals seeking employment, education and habitation abroad underscores the crucial role of remittances in the socio-economic development of developing countries such as Vietnam. To this end, the Vietnamese government has adopted a set of favourable policies aimed at encouraging and facilitating the process of repatriating foreign currencies. Among these policies, Decision No.170/1999/QĐ-TTg provides incentives to overseas Vietnamese to remit foreign currency in accordance with Vietnamese laws. Furthermore, Law No.04/2007/QH12 on Personal Income Tax exempts recipients of remittances (with income from remittances) from paying income tax on foreign currencies remitted from abroad. In recognition of the rights of Vietnamese guest workers, Article 6 (1)(c) of the Law on Vietnamese Guest Workers recognizes their right to repatriate wages, salaries, income, and other property of individuals in accordance with Vietnamese law and the law of the receiving country.

Training programme

According to Article 6 (1) of the Law on Vietnamese Guest Workers, workers are entitled to access information regarding Vietnam's policies and laws concerning Vietnamese guest workers, as well as the policies, laws, customs and practices of the host country that are relevant to workers, and the rights and obligations of both parties. At the same time, according to Articles 6 (2), 44 (4, 5) and 45 (4, 5), employees are also obliged to complete orientation education courses and must have diplomas and certificates in foreign languages, expertise, qualifications and skills before working abroad. For Vietnamese guest worker service, Article 9 (4) of the Law also stipulates the obligation to organize vocational skills training, foreign language and orientation education for workers before going to work abroad.

The Law on Vietnamese Guest Workers includes a separate chapter (IV) dedicated to refresher training in occupational skills, foreign language and orientation education for workers. The chapter outlines the purpose of this training in Article 62, which is to equip workers with the necessary skills and knowledge required by the foreign market. According to Article 64, the government has implemented policies to support investment in vocational education institutions that provide vocational skills and foreign language

training for Vietnamese workers. Additionally, under Decree No. 61/2015/ND-CP, workers belonging to some specific categories, such as ethnic minorities or individuals from economically challenged households who wish to work abroad, will receive support for their tuition fees, meals and travel expenses during their training.

The content of the training programme for workers is specified in detail in Article 65 of the Law on Vietnamese Guest Workers, Decision No. 18/2007/QĐ-BLDTBXH and Circular No. 21/2021/TT-BLDTBXH. The programme covers various topics, including the cultural identity and traditions of the Vietnamese nation, Vietnamese and host country laws, employment contracts, financial management, labour discipline, occupational safety and hygiene, local customs and cultures, communication and transportation skills, human trafficking prevention, gender equality, citizen protection, access to job opportunities upon return, and contact information for support when facing difficulties abroad.

Network of government agencies supporting migrant workers

To provide maximum support for the overseas Vietnamese community, the government issued Decision No. 119/2007/QĐ-TTg to establish the Fund for Protection of Overseas Vietnamese Citizens and Legal Persons. According to Article 2, this fund is a financial institution under the Ministry of Foreign Affairs. It is intended to assist citizens in extremely difficult situations, after accidents, or at serious risk, when they are unable to overcome them alone. Additionally, the fund will cover expenses for activities of diplomatic missions, consular offices, or authorized agencies of Vietnam in foreign countries that are aimed at protecting Vietnamese citizens and legal entities. In special cases recognized in Article 4, the fund may also provide advance funds to purchase tickets back home or to pay for hospital or hotel expenses for Vietnamese citizens.

With regards to migrant workers in particular, the government issued Decision No. 144/2007/QĐ-TTg, which establishes the Overseas Employment Support Fund. The regulations for this fund are also recognized in the Law on Vietnamese Guest Workers and Decision No. 40/2021/QĐ-TTg on the Overseas Employment Support Fund. According to Articles 11–14 of Decision No. 40/2021/QĐ-TTg, workers going abroad for work will receive support from this fund for the development of necessary skills, foreign language acquisition and general knowledge. The fund will also provide support in the event of risks such as early returns due to illness, natural disasters, epidemics, wars, mistreatment, coercion, or in the resolution of labour-related disputes.

Concerning government agencies providing direct support to Vietnamese citizens residing abroad, according to Decision No. 227/QĐ-BNG and Decision No. 11/2019/QĐ-TTg, the Consular Department and the State Committee for Overseas Vietnamese, which fall under the Ministry of Foreign Affairs, are tasked with the responsibility of safeguarding and protecting the welfare of Vietnamese nationals abroad. Meanwhile, under the Law on Overseas Representative Missions of the Socialist Republic of Vietnam, Vietnamese representative agencies abroad directly perform consular and support duties, as well as protect the Vietnamese community residing overseas. In the field of labour migration, the Department of Overseas Labour Management under the Ministry of Labour - Invalids and Social Affairs is responsible for implementing the state management function regarding Vietnamese workers who work abroad. The labour management boards within Vietnamese representative agencies, established jointly by the

Ministry of Labour - Invalids and Social Affairs, the Ministry of Foreign Affairs and the Ministry of Home Affairs, manage and support the Vietnamese workforce in countries and regions with a large number of Vietnamese workers. Currently, Vietnam has labour management boards in six such countries and territories: Japan, South Korea, Taiwan, Malaysia, United Arab Emirates and Saudi Arabia. In countries where labour management boards have not yet been established, Vietnamese representative agencies in those countries will act on behalf of the State to manage and support in resolving issues related to Vietnamese workers working in those countries (MOLISA 2021).

EU-Vietnam bilateral agreements

In cooperation with the European Union, the Vietnam-EU Partnership and Cooperation Agreement (PCA) and the EU-Vietnam Free Trade Agreement (EVFTA) are two crucial agreements that expand the scope of Vietnam-EU relations towards equal, comprehensive and long-term cooperation. The agreements cover a wide range of cooperation in many fields, not limited to trade and economic cooperation, but also extending to other areas such as the environment, energy, technology, tourism, culture, migration, security, anti-corruption and organized crime.

The Vietnam-EU Partnership and Cooperation Agreement. The Vietnam-EU Partnership and Cooperation Agreement (PCA), signed on June 27, 2012, marks a significant milestone in the transformation of the Vietnam-EU relationship. The PCA creates a new legal framework and expands the scope of cooperation between Vietnam and the EU. Compared to the cooperation agreement signed between the European Community and Vietnam in May 1996, it has significantly expanded the scope of cooperation between the two sides. New areas such as energy, good governance and migration have been added, and Vietnam's interests in human rights and labour have also been added (European Parliament 2015).

Regarding cooperation in Labour, Employment, and Social Affairs, Article 50 of the PCA makes a significant contribution to creating a legal framework for cooperation and labour exchange between Vietnam and EU countries, as follows:

- The parties agree to strengthen cooperation in the field of labour, employment, and social issues.
- The parties reaffirm the importance of promoting decent work as a crucial factor for sustainable development and poverty reduction.
- The parties reaffirm their commitment to respect, promote, and implement internationally recognized labour standards, as set forth in the ILO Conventions.
- The parties shall ensure that nationals of the other party lawfully employed in the territory of the host country shall not be subject to discrimination in matters such as working conditions, remuneration, dismissal, etc., based on their nationality compared to the conditions for nationals of other third countries.
- Forms of cooperation may include programmes and specific projects.

The EU-Vietnam Free Trade Agreement. The EU-Vietnam Free Trade Agreement (EVFTA) is a trade agreement between Vietnam and the twenty-seven member states of the European Union. On 26 June 2018, the EVFTA was divided into two agreements:

the Trade Agreement (EVFTA) and the Investment Protection Agreement (EVIPA). Both agreements were signed on 30 June 2019 and were agreed upon by the European Commission and the European Council. They were ratified by the Vietnamese parliament in 2020 and officially took effect on 1 August 2020. While the EVFTA does not contain provisions that are directly related to migrant workers, it does have commitments to respect, promote and effectively implement basic principles and rights at work. This indirectly contributes to improving labour quality and strengthening labour cooperation between Vietnam and EU countries (WTO Center Vietnam *n.d.*).

Observations and recommendations for enhancing Vietnam's integration policies for Vietnamese migrant workers

The preceding section presented a comprehensive analysis of Vietnam's policies regarding the integration of Vietnamese migrant workers. Based on the review's findings, this section offers comments on the successes and shortcomings of Vietnam's approach to migrant workers, along with recommendations for enhancing policies.

Positive developments of Vietnam's policies

Drawing from the preceding analysis, it may be asserted that Vietnam has attained noteworthy milestones with respect to policies concerning the assimilation of Vietnamese migrant labourers into their host nations:

Firstly, it can be asserted that despite the lack of explicit provisions in the Law on Vietnamese Guest Workers, the encouragement of overseas workers to integrate into the social fabric of the host country to attain a stable livelihood is a policy that has been acknowledged in numerous Communist Party and government documents of Vietnam over the last two decades.⁸ The Communist Party of Vietnam, in its leading role, has ensured that the work of dispatching workers overseas adheres to this policy and other relevant guidelines.⁹ It can be observed that Vietnamese workers are partially entitled to certain benefits related to the integration process through these policies.

Secondly, despite Vietnam's principle of single nationality, it is regarded as a 'flexible' principle (Ministry of Justice 2022), and in reality, numerous instances have arisen where Vietnamese migrant workers have the capacity to acquire the nationality of the host country where they reside and work while still retaining their Vietnamese nationality. Additionally, Vietnamese legislation exhibits a robust perspective in upholding the bond and safeguarding the interests of the state towards Vietnamese citizens residing abroad. Therefore, Vietnamese migrant workers living and working abroad can rest assured that their rights and interests are always recognized and protected by the Socialist Republic of Vietnam.

Thirdly, Vietnam's remittance policy has established a supportive legal framework for migrant workers to send money home. As a result of these policies, Vietnam's remittances have increased dramatically, from US\$1.4 billion in 2000 to US\$17.2 billion in

⁸See above General policies on integration for Vietnamese migrant workers.

⁹For more, see Directive No. 16-CT/TW dated 8 May 2012 of the 11th Secretariat of the Communist Party of Vietnam on 'Strengthening the leadership of the Party in sending Vietnamese workers and experts to work abroad'.

2020, accounting for approximately 5% of the country's GDP. This impressive growth rate has propelled Vietnam to become the twelfth highest recipient of remittances worldwide (World Bank n.d.). By offering beneficial conditions, such as tax exemptions for personal income related to remittances, Vietnamese overseas workers can work confidently, integrate into the host society, and still have the ability to remit money back to their homeland to improve their families' standard of living or make investments.

Fourthly, Vietnam's labour training policy has exhibited a focus on labour quality, which is deemed one of the critical factors for effective integration into the labour market in the host country. Along with policies that encourage training, Vietnam has established comprehensive regulations regarding the essential knowledge training programme for workers before embarking on overseas work. This programme necessitates that workers learn about the law, culture, customs and practices of the host country, in addition to obtaining knowledge about money management, communication and travel. These competencies are essential to help workers adjust promptly to life in a foreign country.

Lastly, it can be asserted that the two accords (PCA and EVFTA) have made significant contributions to establishing the groundwork for labour collaboration between Vietnam and the EU. Especially, Article 50 of the PCA has a certain influence on the integration process of Vietnamese workers in the EU; it contains crucial clauses pertaining to migrant labourers, mandating that EU member states guarantee the equitable treatment of Vietnamese workers in areas such as job conditions, remuneration, termination of employment, and other related aspects while they are employed in the host country. Equal treatment in the host country is one of the important factors for the successful integration of migrant workers.

Limitations of Vietnam's policies

The topic of integration for migrant workers is a nascent concern in Vietnam. There are limited legal documents and studies that specifically address this issue, and as such, Vietnam's legal and policy framework is still incipient in this domain.

Firstly, the Vietnamese legal framework lacks specific concepts and regulations regarding the integration of migrant workers. The term 'integration' is only acknowledged in the overarching policy document of the Communist Party of Vietnam for all overseas Vietnamese, rather than specifically targeting Vietnamese migrant workers. Consequently, there is a dearth of policies dedicated to promoting the integration of Vietnamese workers abroad.

Second, a significant challenge faced by Vietnamese migrant workers is the language barrier which can impact the quality of their work (MOLISA 2023). Improved foreign language skills can not only enhance the employability and earning potential of migrant workers but also facilitate their effective participation in the social, economic and cultural aspects of the host country. However, Vietnam's policies for enhancing the foreign language skills of its workforce are limited. Additionally, under Article 45 of the Law on Vietnamese Guest Workers, the dossier requirements for employees working overseas only necessitate diplomas and certificates in foreign languages as per the demands of the receiving country. Consequently, migrant workers may leave Vietnam without adequate knowledge of the host country's language.

Third, there is a dearth of policies aimed at training and developing high-quality workers, as well as establishing common standards to enhance the competency of Vietnamese migrant workers to meet the demands of the international labour market. Presently, Vietnamese workers are reliant on each market to determine the appropriate profession to pursue the level of foreign language proficiency needed. The absence of a coordinated approach to worker training and development may contribute to a lack of consistency in the skills and knowledge base of Vietnamese migrant workers, hindering their ability to compete effectively on the global stage.

Fourth, migrant workers hailing from countries with long-standing migrant communities in the destination country, as well as social support networks, are more likely to have access to employment opportunities and integrate into society more easily than their counterparts from countries without such networks. Despite this, the network of migrant support agencies in Vietnam remains relatively limited, with labour management boards only established in six countries hosting significant numbers of Vietnamese migrant workers; no such agency exists in Europe, and labour support can only be accessed through diplomatic missions.

Fifth, despite the existence of two framework agreements on cooperation, namely PCA and EVFTA, and the recent increase in demand for Vietnamese workers in EU countries, Vietnam has yet to establish any bilateral agreement with the EU as a whole for cooperation in the field of labour, having only some cooperation agreements with individual member states such as Germany, Romania, the Czech Republic and Bulgaria in the form of memoranda of understanding (MOLISA 2022).

Suggestions for improvement

Several proposals can be made to make Vietnam's policy impacts on the integration of Vietnamese migrant workers more effective and comprehensive.

Firstly, it is imperative that Vietnam conducts in-depth research and supplements the concept and specific provisions of 'integration' in legal documents pertaining to the field of labour migration. Such efforts will serve to protect and recognize the rights and obligations of migrant workers related to their integration, as successful integration plays a critical role in the process of labour migration. Moreover, the recognition of this concept will enable Vietnam to set targets for the development and implementation of policies that are directly relevant to the process of migrant worker integration.

Second, it is imperative to establish policies that focus on foreign language training for Vietnamese migrant workers. This is particularly critical since workers who relocate to different EU member states may encounter language barriers that extend beyond the official language of the host country. Proficiency in English, in particular, would confer significant advantages, enabling them to quickly acclimatise to their work and lifestyle (Guldenmund, Cleal, and Mearns 2013). Therefore, incorporating language training programmes within the overall framework of labour policies is crucial to equip Vietnamese migrant workers with the necessary language skills that are essential for their successful integration and participation in the host country's social, economic and cultural fabric.

Third, it is imperative for Vietnam to formulate policies that focus on the development of labour quality standards aligned with international standards in order to enhance the

overall quality of the Vietnamese migrant workers. Labour quality is a vital aspect of the integration process of migrant workers as it directly influences their competitiveness in the labour market. Unfortunately, by the end of 2022, the percentage of highly skilled professional and technical workers in the Vietnamese labour force was a mere 11%, and the labour productivity of the country is comparatively lower than many other countries in the ASEAN region (*CPV Online Newspaper* 2022). Therefore, enhancing labour quality standards and ensuring that they comply with international standards can result in significant gains in the overall quality of Vietnamese migrant workers.

Fourth, it is important for Vietnam to establish more migrant support agencies in destination countries where Vietnamese migrant workers are employed. These support agencies could provide a range of services to migrant workers, including assistance with finding employment, housing, healthcare and legal services. They could also help to connect workers with other members of the Vietnamese migrant community and provide language and cultural training to help them adapt to their new environment (MOLISA 2021). To establish these agencies, Vietnam could work with its diplomatic missions in destination countries to identify areas where support is needed and establish partnerships with local organizations and government agencies to provide services to migrant workers. Moreover, trade unions can play a vital role in promoting social inclusion, leading to political and economic advantages for migrant workers (Marino 2012). Therefore, it is essential to encourage and facilitate Vietnamese migrant workers to join trade unions in their host countries.

Fifth, to support the integration process of Vietnamese migrant workers, it is imperative for Vietnam to reinforce its efforts in establishing more bilateral agreements and other collaborative arrangements with the European Union member states. These agreements can cover a range of issues related to the employment and integration of Vietnamese workers, including labour standards and regulations, workplace safety, access to social services, and the protection of migrant workers' rights. By establishing clear guidelines and regulations for the treatment of Vietnamese migrant workers, these agreements can help ensure that workers are treated fairly and have access to the support and services they need to integrate into their new communities. To strengthen the signing of these agreements, Vietnam could work with its diplomatic missions in EU countries to identify areas where cooperation is needed and engage in negotiations with host governments to develop formal agreements. Vietnam could also work with EU institutions and member states to promote greater awareness and understanding of the issues faced by Vietnamese migrant workers and to advocate for policies that protect their rights and well-being.

Conclusion

This article has examined Vietnam's integration policies for Vietnamese migrant workers in the EU based on the approach of the sending country's role in the integration process of migrant workers. The policies and regulations related to citizenship, remittances, labour training and migration support networks have been reviewed, as have bilateral agreements related to the integration of migrant workers between Vietnam and other countries. Based on the evaluation results, two important conclusions can be drawn.

Firstly, Vietnam's policies on migrant workers have not specifically and directly addressed the issue of integrating Vietnamese migrant workers into the host countries.

However, the related policies seem to have the potential to support some issues related to integration. The flexible citizenship regime, as well as policies that encourage remittances, may create conditions for workers to live and work with confidence while maintaining their ties to their homeland. Labour training policies have ensured the basic preparation of workers to integrate into the social life of the host country.

Secondly, since social integration issues are still new and not receiving enough attention in Vietnam, policies still need to be supplemented and improved. For example, policies on foreign language training and high-quality labour are still limited, and the network of support agencies for Vietnamese migrant workers in the EU is still weak, with almost no bilateral agreements on labour with EU countries.

This article has proposed a range of measures to improve the extant situation, with the foremost proposal being that the government of Vietnam needs to promptly study and supplement the concept of ‘integration’ within the Law on Vietnamese Guest Workers. This undertaking would thereby establish a legal foundation for subsequent policy formulations.

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Appendix of Documents Reviewed

Circular No. 20/2021/TT-BLDTBXH dated 15 December 2021 of the The Ministry of Labour - Invalids and Social Affairs on the Database system of Vietnamese guest workers.

Circular No. 21/2021/TT-BLDTBXH dated 15 December 2021 of The Ministry of Labour - Invalids and Social Affairs on detailing a number of articles of the Law on Vietnamese Guest Workers.

Conclusion No.12-KL/TW dated August 12, 2021 of the Politburo on the overseas Vietnamese affairs in the new situation.

Decision No. 11/2019/QĐ-TTg dated 18 February 2019 of the Prime Minister defining the functions, tasks, powers and organizational structure of the State Committee for Overseas Vietnamese.

Decision No. 119/2007/QĐ-TTg dated 25 July 2007 of the Prime Minister of Government on Setting up the Fund for Protection of Overseas Vietnamese Citizens and Legal Persons.

Decision No. 144/2007/QĐ-TTg dated 31 August 2007 of the Prime Minister of Government on setting up, management and use of the overseas employment support Fund.

Decision No. 18/2007/QĐ-BLDTBXH dated 18 July 2007 of The Ministry of Labour – Invalids and Social Affairs on the promulgation of the essential supplemental training program for workers prior to overseas employment.

Decision No. 227/QĐ-BNG dated 21 January 2014 of the Minister of Foreign Affairs defining the functions, tasks, powers and organizational structure of the Consular Department.

Decision No. 40/2021/QĐ-TTg dated 31 December 2021 of the Prime Minister on the Fund for Overseas Employment Support.

Decision No.170/1999/QĐ-TTg dated 19 August 1999 of the Prime Minister on encouraging money transfer of overseas Vietnamese.

Decree No. 112/2021/ND-CP dated 10 December 2021 of the Government on Detailing a number of articles of, and providing measures for implementing, the Law on Vietnamese Guest Workers.

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