

Consultation on regulation of recruitment and the Draft Law on Contract-based Vietnamese Overseas Workers (Revised)

Date: 15 September 2020, 1:30-5pm

Time	Presentation	Presenter
1:30 – 1:45pm	Opening remarks	Dr. Vu Tien Loc, President, Vietnam Chamber of Commerce and Industry Dr. Bui Sy Loi, Vice Chairman, Social Affair Committee, National Assembly Dr. Chang-Hee Lee, ILO Viet Nam Country Director
1:45 – 1:55pm	Overview of proposed changes to Law 72	Dr. Bui Sy Loi, Vice Chairman, Social Affairs Committee, National Assembly
1:55 – 2:10pm	Challenges to Migration Management in the Post-Covid World	Dr. Manolo Abella, Senior Research Associate of the Centre for Migration Policy and Society, University of Oxford
2:10 – 2:20pm	Insights and expectations of labour standards in the EU FTA: what do the standards mean for fair recruitment	Bart Devos, European Director, Responsible Business Alliance
2:20 – 2:30pm	Options for Viet Nam to promote ethical and competitive recruitment of Vietnamese migrant workers: sharing private sector's perspectives on moving towards ethical supply chains	Kevin Hyland, Chair of the Leadership Group for Responsible Recruitment
2:30 – 2:55pm	Private sector commitment to responsible recruitment	Institute of Human Rights and Business (IHRB), Consumer Goods Forum (CGF), Responsible Business Alliance (RBA), ILO Global Business Network on Forced Labour
2:55 – 3:00pm	Break	
3:00 – 4:00pm	Adapting to the change: business cases of employers and recruitment agencies implementing an employer pays or zero-fee to migrant worker model - Presentations of employers in destination countries - Industry associations initiatives	Hans Mielants, Human Resources Director, Qatari Diar Vinci Construction (QDVC) Linda Kromjong, Global Labor & Human Rights Director, Samsung



Time	Presentation	Presenter
	- Recruitment agencies	Khai Yau Chua, Senior Program Manager, Responsible Business Alliance Marc Capistrano – Managing Director, Staff house International Resources Corporation, Philippines Pamela Wood, Human Rights and Supply Chain Responsibility Program Manager, Hewlett Packard Enterprise
4:00 – 4:20pm	Q&A	
4:20 – 4:55pm	High level roundtable Adapting to the change: Legislation Framework to promote ethical recruitment in the context of globalization and in supply chains: Opportunities, Challenges and Recommendations	Panellists: - Dr. Bui Sy Loi, NA National Social Affairs Committee - Dr. Vu Tien Loc, President, VCCI - Dr. Chang-Hee Lee, Country Director, ILO Vietnam - Nguyen Gia Liem, Deputy Director General, Department of Overseas Labour - Matthias Thorns, Deputy Secretary-General, International Organisation of Employers - Miah Park, Chief of Mission, IOM
4:55 – 5:00pm	Closing remarks	Dr. Vu Tien Loc, President, Viet Nam Chamber of Commerce and Industry

Speakers

Dr. Manolo Abella

Dr. Manolo Abella is a Senior Research Associate of the Centre for Migration Policy and Society at the University of Oxford, and co-chairs KNOMAD's Thematic Working Group on Low-Skilled Labor Migration. He was the former Director of ILO's International Migration Programme, where he steered the organization's work in assisting member states to improve their policies on labour migration. He spearheaded the work that led to the adoption of the *ILO's Multilateral Framework on Labour Migration*. Manolo has written extensively on migration especially in Asia and the Middle East, and has served on the advisory boards of Oxford's Centre for Migration Policy and Society, and Sussex University's migrating out of Poverty Program. He co-authored the book *Managing Labor Migration in the Twenty-first Century* published by Yale University¹.

¹ Some of Dr. Abella's recent publications include (forthcoming) *Migration Policy Dilemmas in the wake of Covid 19 Pandemic* International Migration, John Wiley & Sons, West Sussex; (2018) *High Cost of Migrating to*

Bart Devos

Prior to joining the Responsible Business Alliance as its European Director, Bart Devos worked for Samsung Electronics as European Manager for Sustainability. Earlier, Bart held roles in public and non-profit sectors, including as an advisor at the French National Assembly, and advisor on strategy development and stakeholder engagement to several international organizations.

Kevin Hyland OBE

Kevin Hyland OBE is the Chair of the Institute of Human Rights and Business Leadership Group for Responsible Recruitment, a collaboration between leading companies and expert organisations to drive positive change in the way that migrant workers are recruited. Kevin was the United Kingdom's first Independent Anti-Slavery Commissioner, leading efforts to tackle slavery and human trafficking. Kevin is Ireland's representative to the Council of Europe Independent Group of Experts for Trafficking, and is the chief advisor to the Santa Marta Group, a high-level partnership between law enforcement agencies, faith groups and civil society.

Hans Mielants

Hans Mielants is the Human Resources Director for Qatari Diar Vinci Construction (QDVC). In 2002, Hans commenced his career in the construction materials industry with Holcim. Hans worked as Training and Recruitment Manager in France and Benelux, and in 2005 became Regional HR Director for Asia working mostly in the Indian subcontinent, Thailand, Singapore, Viet Nam and Indonesia. In 2014 he moved to Nigeria as Supply Chain Director and Integration Manager for the merger of Lafarge and Holcim. He joined QDVC as HR Director in 2017.

Linda Kromjong

Linda Kromjong joined Samsung Electronics in October 2018 as Global Labor & Human Rights Director. Prior to her role at Samsung, Linda was Secretary-General of the International Organisation of Employers (IOE), and Vice-President, Labor Relations International & Human Rights for Deutsche Post DHL. Linda recently served as a member of the Advisory Boards of the UN Global Compact, Mega Sporting Events (MSE) striving for excellence project and the Global Apprenticeships Network (GAN) Board.

Khai Yau Chua

Khai Yau Chua is the Senior Program Manager at the Responsible Business Alliance. Khai started his career at HP in 2000 before moving on to work in public and international organizations. In the nine years prior to joining the RBA, he has been working on areas related to human, labor, migrant and refugee rights in IOM and UNHCR.

Marc Capistrano

the Gulf in Migration to the Gulf: Policies in Sending and Receiving Countries, Fargues, P. and Shah, N., European University Institute, Florence; (2017) *Migration and Development: Some Key Lessons* in Rashid Amjad (ed) *The Pakistan Diaspora; Corridors of Opportunity and Uncertainty*, Lahore School of Economics, Lahore; (2016) *Outlook on Migration in Asia in 2016* in *Migration Policy and Practice Vol V* Dec 2015-Jan 2016, IOM, Geneva.

Marc Capistrano is Managing Director of Staff house International, a leader in the manpower supply industry in the Philippines. Staff house sends workers globally and with over 100 full-time recruitment professionals, and are among the largest recruitment companies in the Philippines. Staff house was awarded the No. 1 deploying agency in the Philippines for Skilled Workers for 2018-2019. Staff house has stringent ethical recruitment practices and strictly do not collect any fees from workers, allowing them to recommend talent primarily on the basis of competence.

Participants

High level roundtable members

Dr. Vu Tien Loc

Dr. Vu Tien Loc has been the President of Vietnam Chamber of Commerce and Industry since 2003. He is the National Assembly Deputy of XI, XII, XIII, XIV National Assembly and member of National Assembly Committee of Economics. He holds various positions in different political, economic and social organizations and forums such as member of Presidium of Vietnam Father Front Land, Vice President of Prime Minister's Advising Council on administrative reform, Vice President of the National Council on Sustainable Development and Enhancement of Competitive Capacity of Vietnam, President of Central Council of Vietnam Business Association, President of the Committee for Public and Private Partnership, President of Vietnam Business Forum, President of APEC's ABAC, Leader of the Steering Committee of the Provincial Comparative Index Project, and Leader of Steering Committee for the National Start Up programme.

Dr. Bui Sy Loi

Dr. Bui Sy Loi is the Standing Vice Chairperson of the National Assembly Committee of Social Affairs. He has been National Assembly Deputy of the XI, XII, XIII and XIV National Assembly. He is the President of the Belgium-Vietnam friendship parliamentarians group, and Member of the Executive Committee of the Vietnam General Confederation of Labour.

Mr. Bui Gia Liem

Mr. Bui Gia Liem is the Deputy Director General of the Department of Overseas Labour. He leads the DOLAB's revising team of the Law on Vietnamese contract based overseas workers (revised). Mr. Liem has 30 years' experience working on Vietnamese migrant workers abroad with the Ministry of Labour, Invalids and Social Affairs including more than 6 years as the counsellor in charge of labour at the Vietnamese Embassy in Japan.

Dr. Chang-Hee Lee

Dr. Changhee Lee is the Director of ILO Country Office for Viet Nam (September 2015-present). He joined ILO HQ in Geneva in 1996 where he participated in a number of major global research programmes on industrial relations. Subsequently he worked as an industrial relations specialist for the ILO's East Asian team in Bangkok covering South East and North East Asia (2000-2006) and in Beijing covering China, Mongolia and Viet Nam (2006-2012). During his service in East Asia, he provided policy advice to tripartite industrial relations actors in East Asia on a wide range of industrial relations policy issues. In 2012, he returned to ILO HQ and worked as a senior policy analyst of the Policy Integration Department, and a senior labour relations specialist at the Inclusive Labour Markets, Labour Relations and Working Conditions Branch (INWORK). He was also a member

of the Task Force for reform of ILO's field operations, appointed by the by the Director-General. Changhee has numerous articles published on industrial relations and human resource management in international academic journals. He has published a book titled "Dialogue with China" on intellectual giants of China (2013), and co-edited a book "Industrial Relations in Emerging Economies – Quest for Inclusive Development" (2018).

Matthias Thorns

Matthias Thorn is the Deputy Secretary-General, International Organisation of Employers (IOE). Prior to the IOE, Matthias was International Labor Relations and Workplace Rights Manager at The Coca-Cola Company, Deputy Director, European and International Affairs, Confederation of German Employers (BDA) in Berlin, and an Advisor at the European and International Affairs, Confederation of German Employers (BDA). He was also an advisor for social affairs at Business Europe in Brussels.

Miah Park

Miah Park was appointed in April 2020 as the Chief of Mission of the International Organization for Migration (IOM) Viet Nam Mission. Prior to this post, Miah was the Head of Office for IOM Seoul Office. In the area of labour migration, Miah has been working with IOM's CREST (Corporate Responsibility in Eliminating Slavery and Trafficking) Programme to support businesses to reduce the risk of modern slavery in their operations and supply chains, ensure migrants are protected and businesses maximize the benefits of labour migration.

Government

- Ministry of Labour, Invalids and Social Affairs
- Ministry of Justice
- Other Vietnamese Government stakeholders including the Law 72 Drafting Team, Editing Board

National Assembly

- Committee of Social Affairs
- Members of Steering Committee
- Deputy National Assembly members

Business

- Vietnam Chamber of Commerce and Industry
- Vietnam Association of Manpower Supply
- Recruitment agencies
- Multinational companies, suppliers, industry bodies

Consumer Goods Forum

The Consumer Goods Forum (CGF) is the only organisation that brings consumer goods retailers and manufacturers together globally, and is a CEO-led organisation that helps the world's retailers and

consumer goods manufacturers to collaborate, alongside other key stakeholders, to secure consumer trust and drive positive change. With their global reach, CEO leadership and focus on retailer-manufacturer collaboration, CGF are in a unique position to drive positive change and help address key challenges impacting the industry, including striving to eradicate forced labour through collective action.

[CGF's members](#) are the CEOs and senior management of some **400 retailers, manufacturers, service providers**, and other stakeholders across **70 countries**, and reflect the diversity of the industry in geography, size, product category and format. CGF's member companies have **combined sales of EUR 3.5 trillion** and directly **employ nearly 10 million people**, with a **further 90 million related jobs** estimated along the value chain.

Responsible Business Alliance

The Responsible Business Alliance (RBA) is the world's largest industry coalition dedicated to corporate social responsibility in global supply chains. Founded by a group of leading electronics companies, the Responsible Business Alliance (RBA), is a non-profit comprised of electronics, retail, auto and toy companies committed to supporting the rights and well-being of workers and communities worldwide affected by the global supply chain. [RBA members](#) commit and are held accountable to a common Code of Conduct and utilize a range of RBA training and assessment tools to support continual improvement in the social, environmental and ethical responsibility of their supply chains.

Today the RBA and its Responsible Minerals, Labor and Factory Initiatives have more than **380 members** with **combined annual revenues of more than \$7.7 trillion**, directly **employing over 21.5 million** people, with products manufactured in **more than 120 countries**. In addition to RBA members, thousands of companies that are Tier 1 suppliers to those members are required to implement the RBA Code of Conduct. More than 3.5 million people from over 120 countries contribute to the manufacture of RBA members' products.

Institute for Human Rights and Business

The Institute for Human Rights and Business (IHRB) is an international civil society organisation working to protect and promote human rights associated with business operations. **IHRB has ECOSOC status at the United Nations** and strong links and existing partnerships with intergovernmental bodies, ILO and IOM. IHRB also has strong links to many civil society organisations and trade unions. As an organisation which is **primarily business focussed**, IHRB also have significant contact with, and are a trusted partner of a large number of individual companies, business and trade associations.

The [Dhaka Principles for Migration With Dignity](#) developed by IHRB, provide an overarching framework for business and governments to better understand and address the challenges facing migrant workers, and those who recruit and employ them, at all stages of the migration cycle. Over the last four years the **IHRB Migrant Workers Programme** has focused on the issue of responsible recruitment and how flawed recruitment processes are often an integral component of situations of forced labour, this being particularly the case where workers pay large recruitment fees to secure employment abroad. Since 2016 IHRB have been working with a group of multi-national brands [The Leadership Group for Responsible Recruitment](#), which operates as a company-led collective advocacy

platform to promote responsible recruitment practices amongst business, the recruitment industry, and government.

[ILO Global Business Network on Forced Labour](#)

The ILO's Global Business Network on Forced Labour (GBNFL) brings together the ILO with businesses of all sizes and sectors, and their networks, from around the globe to eradicate forced labour. Operating across all sectors, and geographies, ILO GBNFL members work to engage smaller enterprises, develop actionable resources and tools, and devise local solutions that help shape national frameworks to create lasting change.

[International organisations](#)

- IOM, UN Women, EuroCham, AusCham, JICA.

[Embassies](#)

- Japan, Korea, Taiwan (China), Germany, US, Australia, Saudi Arabia, Hungary, UK, US, Canada, and EU.