



International  
Labour  
Organization

## Monitoring and Evaluation of the Application of the VAMAS Code of Conduct

### Phase I: 2012-2013

This report outlines the process, outcome and future recommendations for monitoring and evaluating the application of the Vietnam Association of Manpower Supply (VAMAS) Code of Conduct (COC-VN). This is based on a VAMAS report, but has been slightly adapted so as to serve as a reference for similar self-regulation mechanisms that are being considered in a number of other countries sending workers abroad.

The COC-VN was adopted in 2010,<sup>1</sup> and 102 agencies signed up to commit to its principles and guidelines. The monitoring and evaluation mechanism was developed in 2011<sup>2</sup>, with the plan to gradually roll it out in stages. In Phase I (2012-2013), the application of the COC-VN would be assessed among 20 recruitment enterprises, and the number of agencies will increase to 50 in Phase II (2013-2014). Phase III will include an assessment of all agencies. This initiative is supported by the ILO GMS TRIANGLE project.<sup>3</sup>

#### I. Activities in Phase I

The following is a summary of the activities undertaken in finalizing and applying the monitoring and evaluation mechanism among the first 20 agencies.

##### 1.1. Meeting of the VAMAS Executive Committee and Supervisory Board

VAMAS organized meetings of its Executive Committee and Supervisory Board, at which an overall agreement was reached to adopt the M&E mechanism. The Committee and Boards also approved the 2012 implementation plan for COC-VN supervision and evaluation, as well as the strategy for wider roll out in the following years.

Pursuant to the outcomes of this meeting, the VAMAS President issued a Decision on the 'Mechanism on Monitoring and Evaluating COC-VN Implementation by Licensed Recruitment

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<sup>1</sup>The Code of Conduct is downloadable at

[http://www.ilo.org/sapfl/informationresources/NonILOpublications/WCMS\\_145267/lang--en/index.htm](http://www.ilo.org/sapfl/informationresources/NonILOpublications/WCMS_145267/lang--en/index.htm)

<sup>2</sup>The Monitoring and Evaluation Tool is available on request to VAMAS through the GMS TRIANGLE project.

<sup>3</sup>ILO Tripartite Action to Protect the Rights of Migrant Workers within and from the Greater Mekong Subregion (the GMS TRIANGLE project) aims to strengthen the formulation and implementation of recruitment and labour protection policies and practices in the Greater Mekong Subregion. The project is operational in six countries: Cambodia, Lao PDR, Malaysia, Myanmar, Thailand and Vietnam. The project is supported by the Australian Government Aid Program.

Enterprises of Viet Nam' (Decision No. 08/QD/VAMAS on 10 May 2012) and a Decision on 'Establishing a Panel for Monitoring and Evaluating COC-VN Implementation' (Decision No. 10/QD/VAMAS on 5 June 2012). The mechanism was published in the VAMAS Newsletter and circulated to all members of the Association and all provincial departments of the Ministry of Labour, War Invalids and Social Affairs (MOLISAs).

**Features of the 20 licensed recruitment enterprises selected for Phase I**

- *Registered for COC-VN implementation;*
- *Years of experience in supplying workers for their foreign partners, from 7 years of experience to 20 years of experience;*
- *High volumes of workers deployed for overseas employment or having a good practical operating model. In 2012, these 20 enterprises accounted for 12% of the total number of recruitment enterprises, but deployed almost 28% of the total number of workers going overseas. Their biggest markets are Japan; Taiwan, Province of China; Malaysia; and the Middle East;*
- *Awareness of the importance of implementing COC-VN (the leaders of 18 out of these 20 enterprises were members of the VAMAS Executive Committee, the Supervisory Board of VAMAS);*
- *Located in different provinces and cities and affiliated to different state bodies:*
  - *8 enterprises affiliated to the provincial state agencies including 4 Hanoi enterprises Hanoi, 2 Ho Chi Minh City, 1 Hai Phong, 1 Hung Yen*
  - *2 enterprises are affiliated to MOLISA*
  - *3 to the Ministry of Transportation*
  - *2 to the Ministry of Construction;*
  - *1 to the Ministry of Agriculture*
  - *1 to the Ministry of Industry and Trade*
  - *1 to the education sector*
  - *1 to the Ministry of National Defense*
  - *1 to the Vietnam Cooperatives Alliance*

**1.2 Activities to build cooperation with relevant bodies and agencies**

The monitoring mechanism requires the provision of information from a number of sources. As such, VAMAS sought to strengthen partnerships with a number of relevant bodies:

(i) VAMAS proposed to the Vice Minister of the MOLISA to sign a letter requesting the leaders of the Department of Labour, War Invalids and Social Affairs (DOLISAs) of provinces and cities to participate into the monitoring and evaluation of COC-VN implementation by licensed enterprises that are recruiting workers in their respective localities.

(ii) VAMAS concluded a cooperation agreement with the Department of Overseas Labour (DOLAB) on the monitoring and evaluation on COC-VN implementation. On that basis, DOLAB assigned a Deputy Director General to be a member of the Panel for Monitoring and Evaluating COC-VN Implementation and instructed its Inspection Division to provide information to the Panel. In addition, DOLAB also issued a document requesting all licensed recruitment enterprises to implement COC-VN. However, the Association still abides by the principle of voluntary application of the COC-VN.

(iii) An agreement was also signed between VAMAS and MOLISA's Inspection Bureau on providing information and data for evaluating the implementation of COC-VN by licensed recruitment enterprises.

(iv) VAMAS signed an agreement with the Labour Management Section in Malaysia (MOLISA officials that serve as labour attachés) to provide information on the recruitment enterprises that are dispatching workers for employment in Malaysia, a major destination country for Vietnamese workers.

(v) In the provinces and cities where the pilot 20 enterprises recruit workers, VAMAS held sessions with DOLISAs to introduce the COC-VN and the monitoring mechanism. A coordinating mechanism was discussed and cooperation agreement signed with the DOLISAs of Vinh Phuc, Phu Tho, Bac Ninh, Ha Tinh, Nghe An, Thanh Hoa, Quang Ngai and Hanoi.

### **1.3 Dissemination of materials**

VAMAS printed 1,500 copies of the COC-VN and the monitoring mechanism and circulated it to licensed recruitment enterprises, DOLISAs, related government authorities, Vietnamese diplomatic missions and the labour management sections abroad, members and assistants to the Panel for Monitoring and Evaluating COC-VN Implementation, participants at related training courses and seminars on COC-VN implementation carried out by the VAMAS and by licensed recruitment enterprises, as well as other partners of the Association.

### **1.4 Training for key staff of the 20 recruitment enterprises**

The Association organized training in September 2012 in Hanoi for leaders and officers in charge of the 20 recruitment enterprises which were selected to be monitored and evaluated on COC-VN implementation in 2012. The training covered:

- Elements of the relevant international conventions and national regulations on forced labour and human trafficking;
- Contents of COC-VN, its meaning and the importance of COC-VN implementation in the actual operation of the enterprises;
- Tools for monitoring and evaluation of COC-VN implementation;
- Key issues to focus on in COC-VN implementation.

One enterprise that had registered for the training could not participate in the training due to an unforeseen meeting. Subsequently, VAMAS provided on-site training for the enterprise's staff at its head office in December 2012.

The key outcome of the training was greater awareness among the enterprises' officers responsible for COC-VN implementation. In addition to COC-VN contents and the monitoring mechanism, participants were provided with information on ILO Conventions, and regulations of Viet Nam to combat forced labour and human trafficking in the process of labour migration. Participants were also provided with the '10 Steps to Facilitate Compliance with the COC-VN'.

After having received the training, the enterprise representatives realized that an in-depth training should be organized for all staff and officers of their enterprises. After hearing of the training, some recruitment enterprises that were not scheduled for evaluation in Phase I requested VAMAS to provide training for their officers in charge and staff.

### **10 Steps to Facilitate Compliance with the COC-VN**

1. *Assign staff to attend training organized by VAMAS; and organize training for all staff on COC-VN and the monitoring mechanism, international conventions and the laws and regulations of Viet Nam on the prevention of forced labour and human trafficking in the sending of workers abroad;*
2. *Assign staff responsible for COC-VN implementation within the enterprises; and provide the list of those staff to VAMAS;*
3. *Review and perfect the enterprise's operating procedures and standards in accordance with standards in the COC-VN;*
4. *Review the entire operational process for better coordination and cooperation between recruitment enterprises and DOLISAs in:*
  - + The recruitment, training and preparation of workers for overseas employment;*
  - + Strengthening policies in the protection of the legal rights and interests of workers;*
  - + The provision of support to workers facing risks and difficulties; and*
  - + Carrying out regular information dissemination and reporting.*
5. *Review processes for better coordination and cooperation between recruitment enterprises and the Labour Management Sections and foreign partners in:*
  - + The recruitment, protection and support to workers overseas;*
  - + Reporting on the situation of workers dispatched for overseas employment;*
6. *Improve the quality of training, of pre-departure orientation for workers prior to their dispatch for overseas employment; and inform VAMAS of the date of pre-departure orientation training classes with 20 workers and above;*
7. *Cooperate with VAMAS when they are collecting comments from migrant workers on the quality of services provided by the recruitment enterprises;*
8. *Regularly inform VAMAS of innovative models and good practices carried out by licensed recruitment enterprises;*
9. *Provide VAMAS with a self-evaluation report on COC-VN implementation prior to 15 December every year;*
10. *Develop a detailed plan for implementing the COC-VN and feeding in to the monitoring mechanism, as well as to deal with violations during the implementation.*

### **1.5 Training for provincial labour officers**

The Association organized training in September 2012 in Hanoi for officers in charge of 12 Departments of Labor, War Invalids and Social Affairs (DOLISAs) of provinces and cities with a

large number of migrant workers and those with a high number of licensed recruitment enterprises. Contents of the training included:

- Elements of the relevant international conventions and national regulations on forced labour and human trafficking;
- Contents of COC-VN, its meaning and the importance of COC-VN implementation in the actual operation of the enterprises;
- Tools for monitoring and evaluation of COC-VN implementation;
- Role of DOLISAs in monitoring and evaluating the enterprises recruiting workers in their localities on COC-VN implementation.

A total of 32 participants attended the seminar: 23 officers from DOLISAs of Hanoi, Hai Duong, Hung Yen, Ha Nam, Thai Binh, Vinh Phuc, Bac Giang, Thanh Hoa, Nghe An, Ha Tinh, Quang Binh and Ho Chi Minh City; 2 representatives from DOLAB and MOLISA's Inspection Bureau; and 5 representatives from VAMAS and a newspaper reporter.

The DOLISAs of Phu Tho, Bac Ninh and Quang Ngai did not send their staff for the seminar in Hanoi, and therefore VAMAS leaders went to these provinces to deliver the training so that they were able to feed into in the monitoring mechanism.

This training has contributed to provincial labour officers' enhanced awareness and understanding on monitoring, managing and supervising the recruitment of workers by the enterprises that are recruiting workers in their localities.

#### **1.6 Training for all staff of 20 recruitment enterprises**

While VAMAS conducted training for the key staff of the 20 agencies (1.4), the enterprises then organized training for their remaining staff.

To ensure a successful training, 90% of the enterprises registered the training date and invited leaders of VAMAS to directly provide the training. For one agency, in addition to the training carried out by its leaders, the company also invited the President of VAMAS to carry out another training session in the form of questions and answers on every issue under the COC-VN, after which all company staff acquired a deeper understanding on their responsibilities for full compliance.

Through this training of their staff, the enterprises were able to review the entire process of their business operations and make necessary adjustments. The training resulted in (i) an overall plan for COC-VN implementation and (ii) a review of the process on sending workers overseas and suggestions of what to revise and supplement to perfect the current process in order to ensure full compliance with all principles of the COC-VN. Feedback included requests for the enterprises to develop standards for staff which have been drafted. To date, these products are included in the enterprises' evaluation files that contain all the information related to the evaluation of a particular enterprise.

The training outputs revealed a big change in the awareness and understanding among staff of the enterprises as well as an actual improvement in the operation of the enterprises.

It is important to note that this activity is not in the project plan and not covered by the project budget. The Association actively carried out the consultation with the enterprises. Moreover,

the enterprises are aware that implementing COC-VN is very beneficial to them, and they therefore used their own budget to train their staff and considered the training to be a prerequisite to start their COC-VN implementation. This is very significant when considering the sustainability of the project.

### **1.7 Collection and verification of the information**

VAMAS carried out the following activities in order to collect information on recruitment enterprises' practices and the experiences of workers deployed by these enterprises:

- Assigned a staff member to monitor, update and verify information from the mass media on a regular basis to update the information in the profiles;
- Having signed agreements with eight DOLISAs (1.2), VAMAS requested them to supply information and feedback on enterprises' operations;
- Collected information from DOLAB, MOLISA's Inspection Bureau and from the Labour Management Sections in Malaysia and Taiwan, Province of China;
- All 20 of the recruitment enterprises submitted a self-evaluation to VAMAS's standing members; and
- Filed a dossier in monitoring the COC-VN implementation on each recruitment enterprise for first year implementation of COC VN implementation.

### **1.8. Observation of pre-departure orientation courses and questionnaires**

To evaluate the provision of pre-departure training to workers the members of the Panel for Monitoring and Evaluating COC-VN Implementation observed the training and conducted survey questionnaires with workers. The questionnaires revealed the training contents, quality of services provided by the recruitment enterprises, and the wishes and desires of the workers with regard to the services of the enterprises.

The members of the Panel for Monitoring and Evaluating COC-VN Implementation have attended 19 training courses carried out by 19 enterprises of which, 12 courses were for workers going to Japan, 5 were training workers going to Taiwan, Province of China, 1 training was for workers going to Malaysia and another for workers headed to Russia. While attending these training courses, the Panel members also directly collected 366 survey questionnaires from workers attending the training, of which 243 (68%) were from workers going to Japan, 82 (23%) were from workers going to Taiwan, Province of China; 21 (5.9%) were from workers going to Malaysia, and 10 (2.8%) were from workers going to Russia.

The results revealed that all surveyed enterprises abided by the COC-VN guidelines on pre-departure orientation training for workers in terms of the programme and the training time. The training was organized in well-equipped rooms with the necessary tools and devices; teachers were responsible and they all had bachelor degrees on the languages being taught. For the training of workers going to Japan, many enterprises contracted Japanese teachers to provide language training to their workers; and one enterprise also applied this method (participation of foreign teachers) in providing training for their workers to Taiwan, Province of China. This method of training produced encouraging results.

The questionnaires also revealed that the surveyed workers were satisfied with the quality of training provided by the enterprises. There were no cases of disagreement on the cost collected by the enterprises. However, there were comments to the enterprises to reduce the cost, if

possible. Some workers requested more in-depth job-related training and enhanced contact and exchange with workers who have returned from working abroad.

The surveyed workers understood the basic contents of the training on customs and traditions of receiving countries, their lands and people, dos and don'ts, terms and conditions of contracts and required fees prior to their departure. These contents were included in training materials and were very practical and easy to remember, especially for workers going to Japan.

The questionnaires revealed that (i) of the different channels through which workers found the recruitment agencies, most found them via friends, relatives, enterprise's websites and the internet; (ii) the majority of workers received loans for expenses and costs related to their overseas employment, and most of the loans, commonly reported by migrant workers as between VND20 million to VND60 million (USD948 to USD2,845), came from banks and their relatives; (iii) the surveyed workers wanted stable employment with an agreed upon duration; workers going to Japan wished to improve their Japanese language proficiency so that, when they complete their contract, they can find employment in Japanese invested companies in Viet Nam or as staff of the recruitment enterprises responsible for providing pre-departure orientation training.

To come up with an objective evaluation on the enterprises' quality of service, the Evaluation Panel also sought feedback from 106 returned workers (not an equal number from each of the agencies). The results showed that returned workers appreciated the services provided by recruitment enterprises. They all completed the contract in due time and the enterprises have performed all commitments made with the workers. More than 50% of those surveyed wished for an opportunity to migrate again if recruited by the enterprises.

In general, this activity has been carried out as a requirement in the process of implementing COC-VN. This activity has allowed enterprises to focus on improving the quality of pre-departure orientation training and the quality of services provided to the workers. At the same time, this activity also helped to collect workers' feedback on enterprises' operations. In short, the pre-departure orientation training has been carried out well by the enterprises, especially for the training to workers going to Japan.

### **1.9 Participation of provincial labour officers**

One of the important channels for evaluating recruitment activity was the DOLISAs of provinces and cities where enterprises carried out activities to advertise overseas employment opportunities, recruit workers, and settle problems faced by migrant workers. The Panel for Monitoring and Evaluating COC-VN Implementation received comments from the DOLISAs of Quang Ngai, Ha Tinh, Nghe An, Thanh Hoa, Bac Ninh and Phu Tho. The comments focused on issues related to recruitment, communication to local authorities in protecting legal rights and interests of workers during their overseas employment; reporting as required; and violations that need to be addressed.

In general, feedback from DOLISAs has revealed that these enterprises have abided by regulations in recruiting workers and in reporting to the local authorities. This is a clear improvement as compared to before, when reporting to local DOLISAs was not carried out as required. However, as we are in the first year of the evaluation, the evaluation reports were rather brief and information collected has not reflected the whole picture on the operation of

selected enterprises, with the exception of an evaluation report of the Department of Labor, War Invalids and Social Affairs of Thanh Hoa province. This report could be shared with other provinces in the future to serve as a model for providing feedback.

## **II. Remarks on the results**

### **2.1 On implementing the COC-VN monitoring mechanism**

- VAMAS has successfully delivered training to raise the awareness of recruitment enterprises selected for monitoring and evaluation in Phase I, and to those relevant stakeholders that provide necessary information in the monitoring and evaluation process.
- VAMAS has successfully engaged the participation of the relevant government authorities, the inspection agencies at central level and provincial levels, the labour management sections in two major destinations, the Department of Overseas Labour, as well as the migrant workers.
- VAMAS has regularly referred to the mass media for information.
- While the 20 recruitment enterprises could already be considered top-performing agencies, this experience has led to positive changes to meet the standards in the COC-VN and build the capacity of staff. For many enterprises, instead of passively waiting to be evaluated by VAMAS, they actively assigned their staff to review operations in light of the COC-VN and the monitoring mechanism.
- One of the concrete results of Phase I has been the improved reporting of the recruitment enterprises to the relevant authorities at central and provincial levels, and to Labour Management Sections.
- The Panel for Monitoring and Evaluating COC-VN Implementation has carried out the evaluation in an earnest manner, and actively collected the information and performed necessary steps to ensure a fair supervision and evaluation on enterprises' operations.

### **2.2 Results of the evaluation in Phase I**

The Evaluation Panel has used a marking method in Phase I of the monitoring and evaluation of COC-VN implementation. On the basis of the marks given, VAMAS has ranked those 20 recruitment enterprises into four groups: 'Excellent' (A1 and A2), 'Good' (B1 and B2), 'Satisfactory' (C1 and C2) and 'Not satisfactory' group (D).

The results of the evaluation in Phase I are as follows:

- A1 (94 points or more): 8 enterprises (40% of enterprises evaluated);
- A2 (89 – 93 points): 8 enterprises (40% of enterprises evaluated);
- B1 (85 – 88 points): 3 recruitment enterprises (15% of enterprises evaluated);
- B2 (81 – 84 points): 1 enterprise (5% of enterprises evaluated)

The majority of the enterprises selected for Phase I evaluation are well-operated enterprises, with leaders that were very supportive of the COC-VN implementation. In addition, in future years, information sources will improve, and will allow for a more comprehensive evaluation.

The deductions of points focused on: (1) low-compliance on reporting the workers dispatched to the Labour Management Section in destination (20% of the enterprises did not meet this requirement) or not reporting regularly to the provincial labour authority (10% of the enterprises did not meet this requirement) or not making the full contribution on time to the

Fund for Overseas Employment Support (35% of the enterprises did not meet this requirement); did not comply with Principle 11 in COC-VN on building up relationships with partners, especially in their coordination with provincial labour authorities (20% of the enterprises did not meet this requirement). In the enterprises' self-evaluation reports, these limitations were also mentioned.

### **III. Summary of experiences from Phase I**

#### **3.1 Positive outcomes of the COC-VN to date:**

- The existence of a monitoring mechanism has already led to improvements in compliance with procedures and pre-departure training requirements even among the more established and larger enterprises, demonstrating the value of COC and the monitoring mechanism. The COC tools are used by agencies to assess and adapt their own operations.
- Although the process is quite complex and requires some amendments, the evaluation criteria and marking mechanism are considered appropriate in evaluating the results in the implementation of COC-VN, and VAMAS have shown that they are able to carry out this programme. The extension of the monitoring mechanism from 20 to 50 recruitment enterprises will prove a harder task.
- The DOLISA from one province indicated that there are a number of recruitment agencies and trust of agencies among the public varies, and the provincial authorities would benefit from being able to refer potential migrants to a list of agencies that VAMAS has rated highly. In one province, banks seeking to issue loans to intending migrants have asked for a list of reliable agencies.
- The monitoring and evaluation of COC implementation can help the authorities and VAMAS to consider changes in the review of migration laws and policy, and the review of reporting procedures to reduce the administrative burden.

#### **3.3 Main concerns:**

- There is a concern that the COC monitoring mechanism is seen as an alternative to the complaints mechanism. The COC aims to reward good actors, but there is also a need to punish the bad actors. At present, the systems to receive and handle complaints are inadequate. An assessment of the complaints mechanism should be carried out as a priority, with a view to making policy and operational changes.
- There is currently no independent oversight of this process, from civil society organization. The participation of a CSO or trade union representative on the Panel for Monitoring and Evaluating COC-VN Implementation would lend more credibility to the findings.
- Phase I focused on 20 of the top performing agencies, whereas problems are likely to occur with the smaller agencies, and those sending workers to Malaysia and Taiwan, Province of China. Phase II will include an expansion to 50 enterprises, which will include enterprises that face greater challenges in COC-VN compliance. In addition, there will be a greater administrative and commercial burden in rating 50 agencies.

#### **3.3 Requirements for success:**

- The first phase of implementation of the COC-VN monitoring mechanism has demonstrated how important it is to ensure the participation and cooperation of VAMAS, relevant government authorities, labour inspection agencies at the central and local levels, the Labour Management Sections in receiving countries and other relevant

social organizations. To acquire the active participation of local labour authorities, it is necessary to work in advance with key staff of the local labour authorities. It is important for all stakeholders to recognize the importance of participating in the COC-VN evaluation.

- To successfully apply the COC-VN in each enterprise, first and foremost, the enterprises need to equip and raise the awareness of leaders and their whole staff on the importance, meaning and contents of COC-VN and the necessity for implementing properly the Code of Conduct. They must assign the leaders and staff to monitor and keep track of COC-VN implementation in all areas of their enterprises. They must review, supplement and complete their internal regulations and record, reward, encourage and remind staff to implement the principles of the COC-VN in their daily work. The recruitment enterprises that applied the above activities are enterprises that were rated highest in COC-VN implementation.
- In order to attract more agencies to participate in this process, there is a need to publicize the results widely. Results of Phase I were published in newspapers, the VAMAS website and regular bulletin. In Phase II, further dissemination of results will occur during the year-end review meeting of the VAMAS which attracts the participation of mass media. Results will again be published in VAMAS' websites and bulletin. The bulletin will be sent to all DOLISAs of all the provinces and potentially shared further to the communes and villages, upon request (for example, Thanh Hoa DOLISA released the VAMAS's bulletin's event to the communes and villages.)

#### **IV. Looking ahead to Phase II**

##### **4.1. Extending the scope of the monitoring and evaluation**

In 2013, VAMAS expects to extend the scope of monitoring and evaluation on COC-VN implementation to 50 licensed recruitment enterprises (including the 20 enterprises that participated in Phase I and 30 newly selected enterprises). The 30 new enterprises have already committed to apply the COC-VN and deploy a high volume of migrant workers including to Malaysia. VAMAS will consider the list of those enterprises that meet these criteria and wish to participate in the monitoring and evaluation.

VAMAS will also seek more participation from DOLISAs from other provinces and cities with high numbers of migrants and introduce them to the COC-VN and the monitoring mechanism, its significance, and the method for DOLISA participation in the monitoring and evaluation. In particular, VAMAS will look to conclude cooperation agreements between VAMAS and DOLISAs of Hai Duong, Bac Giang, Thai Binh, Nam Dinh, Ninh Binh, Thai Nguyen, Hoa Binh and Ho Chi Minh City.

VAMAS will work with the highly rated agencies to document good practices in compliance with the COC-VN, and also document good practices in the reports submitted from the authorities at different levels. These good practices should be shared with recruitment enterprises and with other stakeholders.

##### **4.2 Improving the monitoring mechanism:**

VAMAS will consider strengthening the monitoring mechanism in the following ways:

- To strengthen the monitoring activities by the Standing Unit of the Evaluation Panel that comprises members of VAMAS and other agencies. Members need to define good

practices and various sanctions for violations of the laws and COC (if any). These activities should be carried out regularly, not only at the year-end, as it would be more beneficial and facilitate the ranking.

- The system for appealing decisions has not yet been determined or tested. In Phase II there are likely to be disagreements over the ratings, and therefore VAMAS and the Panel for Monitoring and Evaluating COC-VN Implementation should consider measures to ensure a right of reply before a final scoring is issued.
- In addition to the regular collection of information in mass-media, it is necessary to meet with and survey at least 10 potential migrant workers and 2 returned migrant workers to gather more information in the evaluation of the enterprise's operation.
- The provision of information on good practices needs to be carried out immediately after finding the case, not at the end of the year. By doing so, we can promote and facilitate other enterprises to carry out their tasks in a timely fashion.
- The training for leaders and staff of the 20 enterprises selected for Phase I implementation was rather late (from September). The results would have been better had the training been organized earlier.
- As it was the first time participating in the evaluation, these were still new experiences and tasks for some DOLISAs, which impacted the timeliness in sending their evaluation to the VAMAS Evaluation Panel, as well as the depth of these reports.
- The tool for evaluation with 3 mark sheets (maximum marks, deduction marks for violations, and bonus marks for good practices) has met the requirements of the evaluation process. It has been shown to deter violations and encourage compliance and innovations. However, it is necessary to sum-up the experience gained and consider establishing more detailed provisions that would facilitate the Panel for Monitoring and Evaluating COC-VN Implementation in deducting marks per violation, according to their severity.
- In the marking sheet, VAMAS is considering providing bonus marks for activities that are carried out well. This could include points for:
  - Organizing training on COC-VN for at least 85% of staff responsible for the dispatch program (a maximum 5 bonus points)
    - Assigning a staff member specialized in monitoring COC-VN implementation and keeping regular contact with the standing member of the Panel for Monitoring and Evaluating COC-VN Implementation I (a maximum 5 bonus points)
  - Attending pre-departure orientation training for trainers organized by VAMAS and using effectively pre-departure orientation training materials (a maximum 5 bonus points)
  - Applying innovative models that are beneficial to workers in recruitment, training, collecting fees and protecting legal rights and interests of workers while working abroad (a maximum 5 bonus points)
  - Applying a good mechanism in the management (self-supervision) of implementing COC-VN in their enterprises (a maximum 5 bonus points)