

Effects of the Vietnamese New Law for Working Abroad: A Case Study of
Vietnamese Workers in Japan

by

Nguyen Ha Cam Huong

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Advisor: Professor Saul Takahashi

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Abstract

Without migrant policies, Japan can only recruit migrant workers under the Technical Intern Training Program (TITP) and the Tokutei Gino program which is less popular. However, the exploitation and abuse of foreign trainees in Japan have been a controversial problem for a long time. A new law named Vietnamese law on Vietnamese working abroad under contract (No. 69/2020/QH14) was launched in 2020 and was in force in 2022. This law aims to address the problems related to the old law adopted in 2006 (No. 72/2006/QH11). This dissertation expected to find out the effects of the law 2020 in the case of Vietnamese technical intern trainees in Japan. Qualitative research methodology with semi semi-structured interviews is used (interviews of 3 dispatching companies in Vietnam, and online interviews of 2 trainees in Japan). Due to the small sample size, the dissertation cannot reflect the whole effects of the 2020-year law in reality. From the interview of three dispatching companies, the 2020-year has had good effects. However, the stories of two trainees showed that there is the existence of bad dispatching companies and the new law seems to have no good effects.

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List of Abbreviations

ANA	Holdings All Nippon Airways
CEACR	Committee of Experts on the Application of Conventions and Recommendations
ICMR	International Convention on the Protection of All Migrant Workers and Members of Their Families
ICESCR	International Covenant on Economic Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ILO	International Labour Organization
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
JITCO	Japan International Trainee & Skilled Worker Cooperation Organization
MWC	Committee on the Protection of the Rights of All Migrant Workers and Members of their Families
MOCs	Memoranda of cooperation
NCPs	National Contact Points
No. 69/2020/QH14	Vietnamese law on Vietnamese working abroad under contract 2020

No. 72/2006/QH11	Vietnamese law on Vietnamese working abroad under contract 2006
OTIT	Organization for Technical Intern Training
TITP	Technical Intern Training Program
TNCs	Transnational corporations
UDHR	Universal Declaration of Human Rights

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1. Introduction:

The rapid decrease in the labour force due to the declining birth rate and ageing population has led to a shortage of human resources in Japan which is predicted to worsen in the future. Foreign workers are expected to play an active role in solving this problem. Without migrant policies, Japan can only recruit migrant workers under the Technical Intern Training Program (TITP) and the Tokutei Gino program which is less popular. However, the exploitation and abuse of foreign trainees in Japan have been a controversial problem for a long time.

To make the situation of trainees better, the roles of the Vietnamese and Japanese governments are important. The Vietnamese government has been paying attention and making efforts to make this system better. From Vietnam's side, a new law named Vietnamese Law on Vietnamese Working Abroad Under Contract (No. 69/2020/QH14) was launched in 2020 and was in force in 2022. This law aims to address the problems related to the old law adopted in 2006 (No. 72/2006/QH11). Although this new law has some improvements, there has not been research about whether it works in reality. This dissertation aims to examine the effects of the law 2020 in the case of Vietnamese technical intern trainees in Japan. From that it is hoped to give realistic evidence for improving not only Vietnam's law about workers working abroad but also the TITP program.

According to Iredale & Piper (2003), Japan has not ratified ILO Convention 97, Migration for Employment; ILO Convention 143, Migrant Workers Convention (Supplementary Provisions); and has taken a firm stance in opposition to the International Convention on the Protection of All Migrant Workers and Members of Their Families (ICMR). However, reviewing international human rights instruments helps understand about

the obligations of states for protections of human rights and ensuring businesses respect human rights.

2. Literature review:

2.1. International standards:

2.1.1. International standards on business and human rights:

The primary motivation for the global expansion of transnational corporations (TNCs) is profit. TNCs go abroad to lower manufacturing or other production costs. However, doing business in a globalised world presents a series of social and environmental challenges that they cannot ignore. The responsibility of global businesses is to ensure respect for human rights in their places of operation. To make corporations realise their duties took decades and effort of international communities. In the book *Just Business – Multinational Corporations and Human Rights*, John Gerard Ruggie wrote about the whole journey to build the framework of the United Nations “Protect, Respect, and Remedy” which is the precursor of the Guiding Principles on Business and Human Rights.

Ruggie stated that in the 1990s, the world witnessed a wave of corporate globalisation. Multinational firms developed robustly, in numbers and scale, more than ever before. However, there was mounting evidence of sweatshop conditions and even bonded labour, indigenous peoples’ communities displaced without adequate consultation or compensation, child labour, and sexual harassment. Individuals and communities adversely concerned by corporate globalisation began to call in the language of human rights to express their complaints, resistance, and desires. This raises two further questions: How can human rights norms most effectively be embedded in state and corporate practice to change business conduct? How can this be fostered and achieved in the global sphere where multinational corporations operate but which lacks a central regulator? (Ruggie, J. G. (2013), p.9).

To solve this problem The United Nations started to negotiate a code of conduct for multinational corporations as far back as the 1970s, but the first attempt was unsuccessful. In the late 1990s, the UN Sub-Commission on the Promotion and Protection of Human Rights

began drafting a treaty-like document called “Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights”. In 2003, the text was presented for approval to the Commission on Human Rights, its intergovernmental parent body (which later became the Human Rights Council). Often referred to simply as “The Norms”, the document would have imposed on companies, within their “sphere of influence,” the same human rights duties that states have accepted for themselves under treaties they have ratified: “to promote, secure the fulfilment of, respect, ensure respect of and protect human rights.” The Norms triggered a deeply divisive debate between human rights advocacy organisations and the business community. (Ruggie, J. G. (2013), p.10)

Besides, the governments also realised that an intergovernmental process was unlikely to achieve much progress on so complex, and politically charged an issue without first finding some common terrain on which to move forward. Hence the Commission established a special mandate for an individual expert, which was intended to signal its concern but remain modest in scope: mainly to “identify and clarify” existing standards for, and best practices by, businesses, and for the role of states in regulating businesses in relation to human rights. The Commission requested that the UN Secretary-General appoint the mandate holder as his “Special Representative on the issue of human rights and transnational corporations and other business enterprises.” Moreover, it came to be that in July 2005 John Gerard Ruggie, the author, received a call from then–Secretary-General Kofi Annan, asking him to serve in this post. In June 2011—after six years, with many international consultations, numerous site visits and pilot projects, and several thousand pages of research reports, The UN Human Rights Council unanimously endorsed a set of “Guiding Principles” on business and human rights. (Ruggie, J. G. (2013), p.11)

2.1.1.1.UN Guiding Principle on Business and Human rights (2011)

The UN Guiding Principles on Business and Human rights in 2011 includes the ILO Declaration on Fundamental Principles and Rights at Work and the International Bill of Human rights (which includes the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic Social and Cultural Rights (ICESCR), and the International Covenant on Civil and Political Rights (ICCPR)). According to these principles, there are three requirements for corporations and states in protecting human rights related to business activities.

Firstly, states are obligated to respect, protect, and fulfil human rights and fundamental freedoms. States must protect against human rights abuse within their nation by third parties, including business enterprises by taking appropriate steps to prevent, investigate, punish, and redress such abuse through effective policies, legislation, regulations, and adjudication (article 1). They should manifest clearly the expectation that all business enterprises residing in their territory respect human rights throughout their operations (article 2). States should apply laws that are aimed at requiring business enterprises to respect human rights, secure that laws and policies governing the creation and ongoing operation of business enterprises, provide effective guidance to business enterprises on how to respect human rights throughout their operations, and encourage and, where appropriate, require, business enterprises to communicate how they address their human rights impacts (article 3).

Secondly, business enterprises are required to comply with all applicable laws and to respect human rights. All enterprises regardless of their size, sector, operational context, ownership and structure are responsible to respect human rights by avoiding infringing on the human rights of others and addressing adverse human rights impacts with which they are involved. Avoiding a breach is seeking to prevent or reduce unfavourable human rights impacts that are directly linked to their operations, products, or services by their business

relationships, even if they have not contributed to those impacts. In order to meet their responsibilities, business enterprises should have in place policies and processes appropriate to their size and circumstances, including a policy commitment to identify, prevent, mitigate and account for how they address their impacts on human rights and processes to enable remediation of any adverse impacts. (Article 11, 13, 14, 15).

Last but not least, rights and obligations need to be matched to appropriate and effective remedies when breached. Corporations should assess operations proceedings actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed. (Article 17, 18,19,20,21) Where they identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes. (Article 22). Besides, countries must take appropriate steps to ensure, through judicial, administrative, legislative, or other appropriate means, that when such abuses occur within their nations those affected have access to an effective remedy. Countries should take appropriate steps to ensure the effectiveness of domestic judicial mechanisms when addressing business-related human rights abuses, including considering ways to reduce legal, practical, and other relevant barriers that could lead to a denial of access to remedy. (Article 25,26).

The UN Guiding Principles have been used widely by international businesses throughout the globe, and have led to a veritable explosion in guidance for companies on the issue. In Japan, All Nippon Airways (ANA Holdings) is the first company to have a Human rights report. In 2018, to promote communication with stakeholders through active dissemination of initiatives to respect human rights, they issued the Human Rights Report. The company recognized that respect for human rights lies at the very foundations of the philosophy of the Sustainable Development Goals. They committed to upholding human rights in accordance with the global standards provided in the United Nations Guiding

Principles on Business and Human Rights. In April 2016, they established the ANA Group Policy on Human Rights which is based on the International Bill of Human Rights, the International Labour Organization Declaration on Fundamental Principles and Rights at Work, the Ten Principles of the United Nations Global Compact, and the United Nations Guiding Principles on Business and Human Rights. (All Nippon Airways. (2023). ANA Group Policy on Human Rights)

2.1.1.2. Other standards:

Although being included in the UN Guiding Principles on Business and Human Rights in 2011, the ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998 and amended in 2022 is also one of the main international standards. The Declaration aims to reconcile the desire to stimulate national efforts to ensure that social progress goes hand in hand with economic progress and the need to respect the diversity of circumstances, possibilities, and preferences of individual countries. The Declaration is an expression of commitment by governments, employers, and workers' organisations to uphold basic human values. It affirms the obligations and commitments that are inherent in membership of the ILO, namely:

- Freedom of association and the effective recognition of the right to collective bargaining;
- The elimination of all forms of forced or compulsory labour;
- The effective abolition of child labour;
- The elimination of discrimination in respect to employment and occupation; and
- A safe and healthy working environment.

Another international standard for multinational corporations to do business is the OECD Guidelines for Multinational Enterprises (2011). The OECD Guidelines for Multinational Enterprises are recommendations addressed by governments to multinational

enterprises operating in or from adhering countries. The Guidelines aim to promote positive contributions by enterprises to economic, environmental, and social progress worldwide. They provide non-binding principles and standards for responsible business conduct globally consistent with applicable laws and internationally recognized standards. The Guidelines are the only multilaterally agreed to and comprehensive code of responsible business conduct governments have committed to promoting which are supported by a unique implementation mechanism of National Contact Points (NCPs), agencies established by adhering governments to promote and implement the Guidelines. Based on the Guidelines, States have the duty to protect human rights, while enterprises should:

- Respect human rights meaning that they should avoid infringing on the human rights of others and address adverse human rights impacts with which they are involved.
- Within the context of activities, avoid causing or contributing to adverse human rights impacts and address such occurred impacts.
- Seek ways to prevent or mitigate adverse human rights impacts that are directly linked to their business operations, products, or services by a business relationship, even if they do not contribute to those impacts.
- Have a policy commitment to respect human rights.
- Carry out human right due diligence as appropriate to their size, the nature and context of operations and the severity of the risks of adverse human rights impacts.
- Provide for or cooperate through legitimate processes in the remediation of adverse human rights impacts where they identify that they have caused or contributed to these impacts.

National Contact Points (NCPs) are responsible for furthering the effectiveness of the Guidelines by assisting enterprises and their stakeholders to take appropriate measures to

further the implementation of the Guidelines. They also provide a mediation and conciliation platform for resolving practical issues that may arise.

Adhering countries have flexibility in organising their NCPs. The National Contact Point will:

- Make the Guidelines known and available
- Raise awareness of the Guidelines and their implementation procedures
- Respond to inquiries about the Guidelines from: other National Contact Points; the business community, worker organisations, other nongovernmental organisations, and the public; and governments of non-adhering countries
- Contribute to the resolution of issues that arise relating to the implementation of the Guidelines in specific instances in a manner that is impartial, predictable, equitable, and compatible with the principles and standards of the Guidelines by offering a forum for discussion and assisting the business community, worker organisations, other non-governmental organisations, and other interested parties concerned to deal with the issues raised efficiently, timely and in accordance with applicable law.

2.1.2. Human rights standards on migrant workers:

Besides standards on business and human rights, there are also specific international human rights standards on migrant workers. One of the basic standards is the International Convention on the Protection of the Rights of all migrant workers and members of their families (ICRMW), adopted by the General Assembly of United Nations resolution 45/158 on 18 December 1990. ICRMW has one of the longest drafting histories, the longest UN core human rights instrument with 93 articles divided into 9 parts, the longest period for entry into operation. This Convention recalls one of the objectives of the International Labour Organisation, which is the protection of the interests of workers when employed in other countries than theirs. The convention raises awareness of the impact of the flow of migrant

workers on countries and the people concerned and considers the situation of vulnerability of migrant workers and their family members.

According to the convention, it applies to all migrant workers and members of their families without distinction during the entire migration process of migrant workers and members of their families. Migrant workers and members of their families shall be free to leave any countries, including their State of origin, and have the right at any time to enter and remain in their countries of origin. (Article 7, 8).

The right to life of migrant workers and members of their families shall be protected by law. No migrant worker or member of his or her family shall be subjected to torture or cruel, inhuman, or degrading treatment or punishment, held in slavery or servitude, or be required to perform forced or compulsory labour. They shall have the right to freedom of thought, conscience, and religion, the right to hold opinions without interference, and freedom of expression. They have the right to recognition everywhere as a person before the law, liberty and security of a person. Migrant workers and members of their families shall have the right to equality with nationals of the countries concerned before the courts and tribunals. None of them shall be subjected to arbitrary or unlawful interference with his or her privacy or shall be arbitrarily deprived of property. (Articles 9, 10, 12, 13, 14, 16, 17, 18).

It shall be unlawful for anyone, other than a public official duly authorised by law, to confiscate, destroy, or attempt to destroy identity documents, documents authorising entry to or stay, residence, or establishment in the national territory or work permits. Expulsion from the State of employment shall not prejudice any rights of a migrant worker or a member of his or her family acquired under the law of that country, including the right to receive wages and other entitlements due to him or her. Migrant workers shall enjoy treatment not less favourable than which applies to nationals of the countries of employment in respect of

remuneration, conditions of work, and terms of employment. Countries Parties recognize the right of migrant workers and members of their families: to take part in meetings and activities of trade unions, and freely join any trade union and any such association. No restrictions may be placed on the exercise of these rights. Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health based on equality of treatment with nationals of the State concerned. (Article 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27))

Migrant workers and members of their families shall have the right to liberty of movement in the territory of the countries of employment and freedom to choose their residence there. (Article 39).

The supervisory body of ICRMW, Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (MWC), was established on January 1st 2004. The International Labour Organization (ILO) has been closely associated with the work of the Committee by consulting on its working methods and sharing their experience in the examination of states' reports under the ILO migrant workers conventions.

Another primary convention on human rights of migration is the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), which was convened in Geneva by the Governing Body of the International Labour Office, and met in its 60th Session on 4 June 1975.

According to this Convention, each Member of this Convention is responsible for respecting the basic human rights of all migrant workers. They shall adopt all necessary and appropriate measures, both within their jurisdiction and in collaboration with other members against the organisers of illicit or clandestine movements of migrants for employment, against

those who employ workers who have immigrated in illegal conditions, in order to prevent and eliminate the abuses. The authors of manpower trafficking can be prosecuted whatever the country from which they exercise their activities (articles 1,3,5).

Provision in each nation shall be made under national laws or regulations for the effective detection of the illegal employment of migrant workers and the definition and application of administrative, civil, and penal sanctions. Besides, the representative organisations of employers and workers shall be consulted regarding the laws and regulations and other measures to prevent and eliminate the abuses, and the possibility of their taking initiatives for this purpose shall be recognized (Article 5,6).

The migrant worker who has resided legally in the territory for the purpose of employment shall not be regarded as in an illegal or irregular situation by the mere fact of the loss of his employment. He shall enjoy equality of treatment with nationals in respect in particular to guarantees of security of job, the provision of alternative employment, relief work, and retraining. He formulates and applies a social policy appropriate to national conditions and practice that enables migrant workers and their families to share in advantages enjoyed by its nationals while taking into account all steps to assist and encourage the efforts of migrant workers and their families to preserve their national and ethnic identity and their cultural ties with their country of origin. (Articles 11,12).

Only 29 countries have ratified ILO Convention 143 to date, and none of them are major receiving countries (ilo.org)

General International human rights standards apply to foreign labourers, and nationals in general, other than where it is explicitly stated. However, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) has a big loophole allowing for distinctions for non-citizens. According to the International Convention on the Elimination

of All Forms of Racial Discrimination, in paragraph 2 of article 1, “This Convention shall not apply to distinctions, exclusions, restrictions, or preferences made by a State Party to this Convention between citizens and non-citizens.”. From this point, this convention provides for the government the possibility of differentiating between citizens and non-citizens.

Beside the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), ILO Migration for Employment Convention (Revised), 1949 (No. 97) is another well-known international convention. The Convention had been convened in Geneva by the Governing Body of the International Labour Office, having met in its Thirty-second Session on 8 June 1949. Each member of this Convention is in force undertaking to maintain an adequate and free service to assist migrants for employment, and in particular to provide them with accurate information. They would take appropriate measures within their jurisdiction, to facilitate the departure, journey, and reception of migrants for employment. Each member would apply, without discrimination in respect to nationality, race, religion, or sex, to immigrants lawfully within its territory, treatment no less favourable than that which it applies to its own nationals in respect of the following matters: matters are regulated by law or regulations, remuneration, accommodation, membership of trade unions, social security, employment taxes, dues, legal proceedings (article 2,4,6).

Moreover, recruitment across international borders should respect the applicable national laws, regulations, employment contracts and applicable collective agreements of countries of origin, transit and destination, and internationally recognized human rights. In the case of migrant workers, the terms and conditions of a worker’s employment of written contracts should be in a language that the worker can understand, should be provided sufficiently in advance of departure from the country of origin, should be subject to measures to prevent contract substitution, and should be enforceable. Workers’ agreements to the terms and conditions of recruitment and employment should be voluntary and free from deception

or coercion. Workers should have access to free, comprehensive and accurate information regarding their rights and the conditions of their recruitment and employment. Migrant workers should not require the employer's or recruiter's permission to change employers (migrant worker rights). No recruitment fees or related costs should be charged to, or otherwise borne by, workers or job seekers. (ILO's 2016 General Principles and Operational Guidelines for Fair Recruitment (2016)).

2.2.Human right concerns about TITP in Japan

The Technical Intern Training Program (TITP) was established as a formal program in 1993. The Japan International Trainee & Skilled Worker Cooperation Organization (JITCO) stated that the objectives and purpose of the Technical Intern Training Program are to transfer skills, technologies, or knowledge ("Skills, etc.") accumulated in Japan to developing and other regions to promote international cooperation by contributing to the development of human resources who can play roles in the economic development of those developing regions. There are two types of procedures for accepting technical intern trainees: individual enterprise type and supervising organisation type. The individual enterprise type is a format whereby enterprises and other businesses in Japan (implementing organisations) accept employees of overseas local subsidiaries, joint venture companies, or trading partners for technical intern training. In supervising organisation type, non-profit organisations such as business cooperatives and societies of commerce and industry (supervising organisations) accept technical intern trainees for technical intern training at affiliated enterprises (implementing organisations). Most of the trainees have come to Japan from supervising organisation types. (Japan International Trainee & Skilled Worker Cooperation Organization (JITCO))

TITP has been attracting a huge number of foreign workers to Japan which helps to solve the shortage of workforce here. According to the Immigration Services Agency, in

2021, The number of new Technical Intern Trainees entering Japan was 22,117 of which 16,450 Vietnamese accounted for the biggest part (74.4%). The number of technical intern trainees as of the end of June 2023 was 358,159 people in which Vietnamese were 185,563 people accounting for 51.8% (Ministry of Justice (2023/11/09)).

On the other hand, TITP has been a controversial program for decades from the beginning as a workers' human rights violations dilemma. It has widened to such an extent that some national and international observers have suggested the scheme should be scrapped. Takahiro Maeda (2021) said the Technical Intern Training Program's problems are generally referred to as "wicked problems": social problems that emerged, because of the intertwining of complex issues, influenced by multiple factors, and are difficult to resolve with a single solution so government organisations play an important role in their resolution. Surak (2018) stated that TITP is like a murky trainee scheme that has since operated as a de facto guest work program. According to Akashi (2018), TITP is also known for its slavery-like labour conditions and criticised for its "backdoor" mechanism by pointing out the closed migrant workers' policy of Japan. Furthermore, Takeshi Hayakawa (October 2017) pointed out the gap between the official discourse on TITP as an international technical cooperation program for labour skills development and the reality of exploitation and human rights abuses affecting migrant workers has become increasingly stark. A controversial feature of TITP is its requirement that when 'interns' move to the second year of their internship, they must remain with the same enterprise that took them on in the first year. This renders the interns vulnerable to exploitation, particularly when their residency and immigration status are tied to such an arrangement. The result is a power imbalance in which migrant workers have a subordinate relationship with employers and are less able to claim their rights.

In addition, TITP has faced growing criticism within Japan and internationally. Critics allege that the scheme operates largely as a guest-worker program providing cheap labour

rather than the professional development of 'trainees', and it involves widespread exploitation and human rights abuses. Such issues include: verbal and physical workplace abuse; long work hours; underpayment of wages; unpaid overtime; overcharging of housing rent; and racial discrimination (Suzuki 2010; Murakami, 2019; Miyajima and Suzuki, 2019; Sunai 2019). According to the Report of JFBA Regarding the Seventh Periodic Report by the Government of Japan based on Article 40(b) of the International Covenant on Civil and Political Rights (2020), Japan should immediately abolish the technical intern trainee system, which, in fact, must be called modern slavery and is used to accept foreign unskilled workers as cheap labour. Besides, in the submission of Human Rights Now to the UN Human Rights Committee in advance of the examination of the State Party report for Japan at the 136th Session – 2022 September, it reported that alleged violations under TITP include exploitation of workers, sexual harassment, disappearances, violence, deaths, confiscation of documents and passports, and forced labour. With the same results, in the report for the Preparation of the List of Issues on the 7th Periodic Report of the Government of Japan based on Article 40(b) of the International Covenant on Civil and Political Rights of Japan Federation of Bar Associations, it showed that despite the legislative amendment extending the protection to technical interns, some of the interns remain in harsh labour conditions.

In addition, Japan does not have a migration policy, so they cannot recruit migrant workers. To solve the needs of workforces, TITP was set up under the flag of technology transfer to developing countries but has functioned as a channel to accept more foreign workers. Chieko Kami Bayashi (2018) said that the short history of TITP reveals the efforts to bridge the gap between the needs of the workforce and the Japanese non-immigration policy. Nobuko Hosogaya (21 January 2020) said that problem will arise when the government tries to import labourers rather than permanent settlers, inducing administrative blindness to

migrant workers who are not merely a labour force, but people confronting various social, political, and economic difficulties in their settlement.

One of the most noticed problems in TITP is the disappearance of trainees. Many trainees came to Japan, then due to some reasons, they stop working at their chosen companies and moved out to work for other companies. This is illegal according to Japanese law, and they become illegal residents. Sunai Naoko (2019) analysed the training system from the side of technical intern trainees. She focused on the situation of the Vietnamese trainees who were "forced to flee" their workplace, which is a means of resistance for technical interns. Furthermore, there is a need to reconsider the expression "disappeared/disappeared person" which suggests that only technical intern trainees who had no choice but to leave were at fault for the actions. Moreover, Sunai Naoko (2020) said that although the migrant workers worked in Taiwan and Japan with legal status, they faced long working hours, harassment, violence, "ijime", and low wages. In their desire to change this situation, running away emerged as an option because these legal migrant workers could not change their employers by themselves. According to Asato Wako (2019/03/12), the current situation where violations have become commonplace indicates that many technical intern trainees are employed in businesses that are struggling to manage or have little international competitiveness. In other words, it is a business that cannot be maintained without violating the labour standards act. High recruitment fees and low wages are social environmental factors that cause disappearances and crimes.

Another aspect of TITP is the limitations of applying studied skills after the TITP periods. After finishing 3 years of TITP, most of the trainees go back to Vietnam and start again at working in manufacturing or doing business. They cannot apply what they learned in Japan which is against the purpose of TITP. Takashi Moriya (2018) The foreign training/technical intern training system, most of the foreigners are utilised as low-skilled,

low-wage labour in the supervising organisation type, and their skills are not put to use after they return to their home countries.

Most intern trainees are employed in small businesses or household businesses in suburbs that are not good at managing systems. This also makes trainees live in the same place or near the places of owners, and be dependent on owners in buying groceries, and going out. This leads to another problem called debt of gratitude. Mai Yoshida (December 24, 2020) said that due to being part of a separate workforce from Japanese workers, technical trainees are faced with various institutional restrictions. Trainees are not necessarily managed through direct coercion and/or inhumane oppression. The paper highlights the ideology of debt of gratitude incorporated into the policy and labour management which also shows that trainees are placed at the bottom of the labour market within this mechanism.

Scholars and critics also stated that the Japanese government has to make more efforts to protect the human rights of foreign workers. According to the *2022 Trafficking in Persons Report: Japan* by the U.S. Department of State, it is said that the Government of Japan did not meet the minimum standards in several key areas: laws prescribing insufficiently stringent penalties weakened deterrence, and undercut efforts to hold traffickers accountable. Also, the government did not take any measures to hold recruiters and employers accountable for labour trafficking crimes under this system. The government-maintained memoranda of cooperation (MOCs), the primary tool to regulate recruitment practices, remained largely ineffective because the government failed to hold the governments of the sending countries accountable for abusive labour practices and labour trafficking crimes by recruiters and sending organisations. In addition, in the submission to The UN Human Rights Committee's 130th session of Amnesty International, it is said that Japan failed to protect the rights of migrant workers employed under the Technical Internship Training Program (TITP) from unfair or exploitative treatment. Besides, the report of the Committee of Experts on the

Application of Conventions and Recommendations (CEACR)- adopted in 2018, and published 108th ILC session (2019) stated concerns on the persistence of labour rights violations and the continued abusive working conditions of technical training interns, they suggested that the Japanese Government should take the necessary measures to ensure that the foreign technical interns are fully protected from abusive practices and working conditions that amount to forced labour, including through effective inspection activities at receiving entities, accessible channels for interns to report the abusive situations to which they are subjected, as well as prompt responses and actions to these reports. They also request the Government to provide information on the application in practice of the Technical Intern Training Act and its implementing ordinances. Furthermore, Shikha Silliman Bhattacharjee (2014) showed that the 2009 revision to the Immigration Control Act included increasing punishments for employers who violate the dictates of the trainee program but did not initiate additional sanctions. Employers who misbehave regarding trainees do not actually receive punishment. Instead, they lose the privilege of receiving trainees. The revisions increase the period of suspension from the program from one year to three years. The Preparation of the List of Issues on the 7th Periodic Report of the Government of Japan based on Article 40(b) of the International Covenant on Civil and Political Rights of Japan Federation of Bar Associations suggested that an overhaul of the system itself is mandatory to close the discrepancy between the purpose of the technical intern program which aims at the transfer of Japan's advanced technology and the actual situation where the interns are used as cheap, unskilled labour.

2.3. Debt burden:

Besides the bad working environment, TITP is also criticised for the debts that trainees had to take on for paid services and other related fees of working in Japan. According to a survey of the Ministry of Justice which was conducted from the end of 2021 to the beginning

of 2022, it targeted nearly 2000 technical intern trainees including 930 Vietnamese. Trainees paid an average of 542,311 yen (\$3,900) to entities that send them to Japan and brokers, with those from Vietnam paying the highest 688,143 yen (6,800 USD). 80% of Vietnamese trainees borrowed money in their home country before coming to Japan while the average was 54.7%. According to a database of the General Statistics Office of Vietnam (2023 May 4th), the average monthly income per person in 2022 at current prices will reach 4.67 million VND equivalent to nearly 56 million VND per year (2,800 USD). It is obvious that the fees for working in Japan are too high compared with the average income of Vietnamese.

It is said that due to the large amounts of debts, trainees cannot quit their jobs in Japan to go back to Vietnam. They have to endure the severe working environment and bad living conditions, or they illegally go to other companies to work to earn money to pay their debts. Most of these high fees come from recruitment fraud in dispatching companies. According to Takashi Moriya (July 2018), the recruitment fraud issue is that staff at Vietnamese sending organisations accept bribes and send out Vietnamese nationals who do not meet the standards desired by Japanese companies. Additionally, because sending organisations had collected high deposits from applicants, some applicants absconded during the contract period and worked illegally. In addition, Ishizuka Futaba (Nov-2018) said that the main cause of the disappearance of Vietnamese trainees is wage issues. Vietnamese technical interns disappear to search for higher wages because of the high pre-dispatch costs. When they come to Japan, they break their contracts and try to get higher wages in order to pay off their debts as quickly as possible. Particularly in recent years, there are so many sending organisations that tend to overemphasise the good aspects of training in Japan. However, when trainees actually come to Japan, they find that it is different from what was in their contract. In some cases, the income may not be stable which is believed the reason why disappearances occur frequently. Besides, Human Rights Now reported to the UN Human Rights Committee in advance of the

examination of the State Party report for Japan at the 136th Session – 2022 September, migrants often pay up to \$10,000 for job opportunities to the sending agencies in their home countries, and the forfeiture of thousands of dollars if they leave. Many interns are paid less than the minimum wage. However, the Japanese government has not prosecuted or convicted perpetrators of forced labour and other abuses within TITP despite numerous reports of labour trafficking and other offences. Moreover, according to the 2022 Trafficking in Persons Report: Japan by the U.S Department of State, the government remained ineffective in preventing foreign-based labour recruitment agencies from charging excessive fees—a key driver of debt-based coercion among TITP participants.

Committee of Experts on the Application of Conventions and Recommendations (CEACR) was set up in 1926 to examine the growing number of government reports on ratified Conventions. 20 eminent jurists from different geographic regions, legal systems, and cultures are appointed by the Governing Body for three-year terms. The role of the Committee of Experts is to provide an impartial and technical evaluation of the application of international labour standards in ILO member States. According to the report of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) - adopted in 2015, and published 105th ILC session (2016), the Labour Union of Migrant Workers considers that, despite the changes introduced in 2010, dispatching organisations continue to collect payments in the guise of pre-training or transport fees, which cause debts for interns and make them vulnerable to dismissal or expulsion, particularly as they are not permitted to change employer. The union also reports that the number of deaths among foreign interns is unusually high for persons who are young and healthy. They requested the Japanese Government to continue taking measures to strengthen the protection of foreign technical interns and provide information on the adoption of the Bill on technical intern training and the protection of technical interns.

2.4. Summary of the Vietnam's law year-2006 and law year-2020

2.4.1. Vietnam's law year-2006

The 2006 Law on Vietnamese Guest Workers under Contract stipulates the rights and obligations of enterprises, non-business organisations sending Vietnamese workers to work abroad under contracts, and other relevant organisations and individuals. In addition, this Law also sets out requirements and conditions for enterprises to grant licences for sending Vietnamese workers abroad; responsibility for employees in case employees die, suffer from occupational accidents, abuse, exploitation of their health, honour or dignity, infringed or harmed. The organisations and individuals licensed to send workers abroad to work are obliged and responsible to strictly comply with the contents of the contracts with the employees, ensuring the correct procedures according to the provisions of the law and not allowed to take advantage of labour contracts to perform acts such as abusing activities of sending workers abroad to organise the sending of Vietnamese citizens abroad; sending workers abroad without registering contracts with competent state agencies under the 2006 Law on Vietnamese Guest Workers under Contract, etc.

Vietnamese workers, when working abroad, firstly enjoy fundamental human rights such as the right to life, the right to health care, and the right to access information, etc. In addition, as migrant workers, Vietnamese workers abroad also have some typical rights such as:

- The right to be informed about the policies and laws of Vietnam on the migrant workers; laws, customs, and practices of the host country; rights and obligations of the parties when going to work abroad.
- The right to enjoy salaries, remunerations and other incomes, medical examination and treatment, social insurance, and other benefits provided for in contracts, international treaties, and international agreements to which Vietnam is a party.

- The right to have his/her lawful rights and interests protected while working abroad by the enterprise, non-business organisation, offshore-investing organisation or individual and by the foreign-based Vietnamese diplomatic mission or consulate following the Vietnamese law, the law of the host country as well as the international law and practice; to be advised on and supported in the exercise of their rights and enjoyment of benefits stated in the labour contract or internship contract (Article 44 (3)).

- The right to transfer home his/her salary, remunerations, income, and other personal properties following the laws of Vietnam and the host country (Article 44(4)).

- The right to enjoy the benefits from the overseas employment support fund under the provisions of law (Article 44(5)).

- The right to lodge complaints or denunciations or initiate lawsuits against illegal acts in sending workers abroad (Article 44 (6))

In addition, the Government of Vietnam also requires Vietnamese employees to comply with the signed contractual agreements, the employer's labour regulations, the laws and regulations of Vietnam and the receiving countries, to actively participate in training courses, and social insurance, and to maintain the values, good customs of Vietnam, and other responsibilities.

To detail some articles and measures to implement the Law on Vietnamese workers working abroad under contract, the Vietnamese government launched some decrees. According to Circular No. 21/2013/TT-BLĐTBXH, 2013, the agent (workers recruitment company/brokers in Vietnam) can charge up to (maximum) 3,000 USD as a deposit (only repay when they complete the contract). In addition, agents can charge up to (maximum) 1,500 USD as a brokerage fee (61/2008/QĐ-BLĐTBXH, 2008). The maximum service

charge must not exceed 1 month's salary of the worker under the contract for every 12 working months. (16/2007/TTLT-BLĐTBXH-BTC).

Minister of Labour, War Invalids and Social Affairs - Dao Ngoc Dung (2020) said that The practical application of Law No. 72 still has problems and is not consistent with current reality, such as: conditions for granting service licences to send workers to work abroad are still not strict and not suitable for activities of sending Vietnamese workers to work abroad; Regulations on brokerage fees, service fees, and employee deposits do not reflect the reality and general trends of international labour standards... In particular, some provisions of Law No. 72 have not met the new requirements for Vietnamese workers working abroad under contracts in the new socio-economic and international relations context...

2.4.2. Vietnam's law year-2020

In general, similar to the provisions of international laws, and the 2006 law, the 2020 law also stipulates the rights and obligations of enterprises, non-business organisations sending Vietnamese workers to work abroad under contracts, and other relevant organisations and individuals. The 2020 law also provides regulations on ensuring gender equality, job opportunities, non-discrimination, training of vocational skills, foreign languages, and orientation education for Vietnamese workers to work abroad under contracts; take measures to support the protection of workers working abroad in accordance with gender characteristics.

Other rights and obligations of Vietnamese workers working abroad under contracts are also clearly stated in the law, such as:

- Unilaterally terminate the contract when the employer is abusive, forced to work, or has a clear threat to life, health or is sexually harassed while working abroad (Article 6 (đ))

- There is no need to pay social insurance or personal income tax twice in Vietnam and in the receiving country if Vietnam and that country have signed an Agreement on social insurance or an Agreement on avoidance of double taxation (Article 6 (g))

Article 7 of the Law on Vietnamese Workers Working Abroad under Contract (amended) also states 17 prohibited acts in the field of Vietnamese workers working abroad under contracts, such as

- To entice, seduce, promise, advertise, provide false information, or use other tricks to deceive employees

- To take advantage of activities of sending workers to work abroad to organise illegal departure, human trafficking, exploitation, forced labour, or other illegal acts.

- To support employees or directly carry out procedures for workers to work abroad without the approval of competent state agencies in accordance with this Law.

- To perform service activities of sending Vietnamese workers to work abroad under contracts without permits;

- To use the licence of another enterprise or allow another person to use the licence of the enterprise to send Vietnamese workers to work abroad under the contract.

- To collect brokerage fees from workers.

- To collect service fees from workers in contravention of this Law...

There are some improvements in the law year-2020 compared to the law year-2006. The new law prohibits collecting brokerage fees under any circumstance regardless of the destination countries. The deposit fee for employees is decreased or no charge, for example, the deposit fee for people who will work in Japan is 0.

3. Research question and research objectives:

3.1. Research question:

What effects of the Vietnamese New Law for Working Abroad have there been, and are expected to be on Technical Intern Trainees?

3.2. Research objectives

Labour export has been a part of Vietnam's socio-economic development. Besides, the Technical Intern Training Program is one of the sole measures for the labour shortage in Japan at present. However, various problems have been pointed out related to this system and the collaboration of the two governments is really important. There is much previous research about the reality of TITP problems. However, since the 2020-year law has been in force, there might be no research about the present TITP situation. To understand the extent of the effects of the Vietnamese new law for working abroad on the case of trainees in Japan, this dissertation is expected to find unsolved problems and make some proposals to improve the situation of Vietnam workers in Japan.

4. Methodologies

This dissertation is exploration research using qualitative methodology to find what effects of the 2020-year law in reality. The semi-structured interviews were used because of their flexibility. The opinions from both dispatching companies and trainees who are directly involved in the TITP programs are important, so there is a need for interviewing both of them. In early February 2023, emails were sent to 35 dispatching companies in Ho Chi Minh City, but only three companies accepted the interview. All of three companies said that they took these interviews because of supporting and encouraging students. In fact, they are not responsible for this kind of interviews which are not compulsory and not beneficial to their businesses. In addition, since the new law was in force from January 2022, it was necessary to interview trainees who came to Japan in 2022 or later. Through taking part in a forum for Vietnamese trainees in Japan, I have connections with two trainees. One came to Japan in May 2022, and the other came to Japan in April 2023. The interviews with the three different dispatching companies were conducted in early March 2023, and online interviews with the two trainees were conducted in October 2023.

5. Findings of the interviews:

5.1. Findings of the interviews of dispatching companies:

Although I sent emails to 35 companies, only three companies accepted my interviews. All three of them said that the new law is more detailed and rigid than the old law. The improvement of the new law did not affect their fees too much because they said that their fees are suitable with both the old and new laws. From the websites of the three companies, their fees are about USD\$4000~USD\$4500. Company A confidently said that their fee has been suitable with both the old and the new law. Company B confirmed that they charge USD\$3600 for services fee and an additional developing markets fee (USD\$300) which are suitable with both the old and the new law. In contrast, Company C said that their fees decreased a little. In the old law, with the case of 3-year trainees, the service fees were as high as a three month's salary (about USD\$3600). Law 69/2020/QH14 on employees in Vietnam going abroad to work under contracts clearly stipulates that the service fee that employees must pay to service enterprises is no more than a three month's salary, which is remained after deducted the payment of the employer. Therefore, the improvement of the new law from the point of view of the dispatching companies did not affect their collected fees.

In the procedure, they have to get the orders from the receiving companies, and then get permission from the Department of Overseas Labour. Besides, the way they find and recruit trainees does not change. Two in three of these companies said that they had gone and checked the receiving companies before they sent trainees to Japan. The company confirmed that they checked the receiving companies in Japan before sending trainees. They cooperate with supervising organisations to check the receiving companies. They also see if the supervising organisation is responsible, and just. Company C has also cooperated with supervising organisations to check the receiving companies in Japan before sending trainees. Company C said that they checked the legal documents of the receiving companies but did

not visit to the companies. All three companies have taught trainees about their legal and contractual rights, and duties. They also hope if some small things happen, trainees can solve it by themselves.

All of them mentioned that they support trainees during their intern time in Japan. They cooperate with the supervising organisations and the receiving companies to deal with any problem, even translating. Company A also lends trainees money (about 50% of fees with a 0% interest rate). Company B mentioned that they contact trainees through emails, SNS, or going to the receiving companies if it is necessary.

They also thought that due to the effect of the COVID-19 epidemic, and the devaluation of JPY, the need to work in Japan decreased compared to the needs before the epidemic. Since the new law was launched in 2022, its effect on the number of trainees in the case of Japan is not clear. When talking about some trainees who paid over USD 7000, the three companies said that those trainees seemed to pay for many separate brokerages. Moreover, a company shared that at unreliable dispatching companies, there is a corrupt relationship between Japanese supervising organisations and Vietnamese dispatching companies when they go to Vietnam to recruit trainees.

Overall, the three sending companies stated that the new law is better than the old law. The articles of fees helped control the expense of trainees if they applied at unreliable companies. The three companies are confident about obeying the 2020-year law, especially, services fees, and supporting trainees.

5.2. Findings of the interviews of trainees:

I had connections with two trainees from a webpage of Vietnamese trainees in Japan. Trainee A came to Japan in May 2022. Her job was picking roses in greenhouses in Shirahama (Wakayama ken). She paid about 6500\$ for the fees which did not include the

Japanese studying fees and campus. The whole expenditure for working in Japan would be about \$8500, but she left her job in less than one year. Trainee B came to Japan in April 2023. His job was car maintenance in Chiyoda (Osaka Fu). He paid about \$6500-\$6800 including studying Japanese and dormitory expenses. In August 2023, he was fired without any convincing reasons. Both of them just paid the asked amount of fees without knowing the components of these fees. Although they had different dispatching companies, they had not been taught about their responsibilities or rights according to either law or contracts. Their dispatching companies also did not introduce anything about their working and living environments except the salaries. When they came to Japan, the realities of their living and jobs were far from what they imagined. Trainee A was really upset with her living conditions in Japan. She said that at her companies, trainees had to live in containers with a moving toilet. The owners looked down on them, and always said “aho” (means *fool*) to them. If the trainees were against the owners, they had to do heavier work, such as pulling weeds out at 12,13 o'clock when it was really hot. Furthermore, although they paid for electricity, in summer they could only use the air conditioner when it was over 28 degrees Celsius outside, which meant it was over 30 degrees Celsius in the containers. When it was 10 degrees Celsius, they were not familiar with the cold, so they used the heater, but the day after, the owner said let's put on more clothes instead of using a heater. The trainees worked over 15 to 20 minutes without overtime salaries, but when they left 2 minutes early, the owner warned them. She neither received her payroll sheet nor understood how to calculate salaries. The supervising organisation did not check her companies frequently as their responsibilities. Eventually, she decided to go back to Vietnam. At that time, the company asked her to buy a flight ticket, but she showed an article that the receiving companies have to buy flight tickets for trainees when they return to their countries in a booklet of law which JITCO gave her, and then they agreed to buy the ticket for her.

After her experiences, trainee A did not think that her jobs and working environment were good. Her job was agriculture so she had to work in a greenhouse which was affected by the extreme weather. She stated, “If my job had been good, I and other people would have not quit the job. I tried my best, but the owners did not respect me or the other trainees”.

The same as trainee A, trainee B also did not know anything about his working environment. He thought he would receive a monthly salary, but in reality, he received on hourly wage. That was also the reason that he asked for more working hours, which led to his expulsion. He said that the director cut off his working hours, so he did not have enough money for himself and his family. He talked to the director about increasing working hours. However, the day after, the director said he talked to senpai (senior colleague) during working hours and fired him, although he did not talk to senpai and he also apologised. Moreover, he was fired, and forced to sign a letter of resignation that he wanted to resign for the reason that the job was not suitable. He contacted his supervising organisation, but they also forced him to sign the letter of resignation, come back to Vietnam for a while, and they would find another company for him. Then he contacted Organization for Technical Intern Training (OTIT), and the company and the supervising organisation stopped forcing him to sign the letter of resignation. However, they did it again, and he had to call OTIT again. After that, he stayed at home for nearly 2 months before moving to another supervising organisation, now he is waiting for a new job in Toyama. He also shared that his turn was the second time that the company recruited trainees. In April 2023, the director fired a trainee who came for the first time, and in August, he was the second one who was fired.

The dispatching companies of both trainees did not support them as they wanted. The dispatching company of trainee B just translated the meeting with the company and did not help with any other things. He is waiting for a new job, but his dispatching company has not supported anything. In the case of the trainee A, she did not dare to tell the dispatching

company anything. Because, if trainees had complained to the dispatching companies, the owner would have discriminated against them.

Summary

From the interviews with two trainees, they have neither enough information about the jobs before going to Japan, nor knowledge about their rights when working abroad. This was one of the reasons for their pitiful circumstances. Moreover, the articles of limitations of fees, providing information, and protecting workers were not followed by their dispatching companies. In addition, in these cases, the supervising organisations did not work effectively as they were responsible, and the dispatching companies could not support the trainees.

6. Conclusion

The 2020 law shows the efforts of the Vietnamese Government in building a legal basis for protecting the rights and interests of Vietnamese workers working abroad. It is expected to be a complete, transparent, and unified legal framework on migration for working abroad. Although the author sent emails to thirty-five companies for interviews, only three companies accepted. These three companies said that they have not broken the law, and have been supporting their trainees as much as they can. However, the interviews with two trainees have proved that it cannot be said that all the dispatching companies are good. Some companies are breaking the rules in service fees, providing information. The interviews for two trainees also showed the bad aspect of TITP which was mentioned a lot in newspapers. When trainees get bad jobs, what they would endure is unimaginable.

Due to the small sample size (3 dispatching companies and two trainees), this dissertation cannot reflect the whole effects of the 2020 law in reality. From the interview of three dispatching companies, the 2020 law has had good effects. However, the stories of two trainees showed that there is the existence of bad dispatching companies and the new law seems to have no good effects. In another way, the bad dispatching companies break the law easily without caring about the consequences.

From the literature review and realistic observation, this dissertation hopes to give some proposals to improve the policies for workers abroad generally, and the TITP program. On the Vietnam side, it is essential to increase the punishment for breaking law companies. It needs to strengthen the inspection and examination of the activities of labour export service providers to suspend ineligible enterprises or handle violations promptly. If it is necessary, the names of bad dispatching companies should be published in mass media for applicants to know. In addition, strict policies such as forcing them to stop doing business, or heavy fines need to be applied.

Moreover, cooperating with the governments of receiving countries to take the necessary measures for fully protecting workers and providing applicants with sufficient information and guidance in detail are important solutions. The Vietnam government needs to develop a set of guidance documents on migration policies and laws for workers; provide legal advice, and support them in the whole process before, during, and after returning from abroad. Besides, promoting cooperation between the two states to strengthen and secure legitimate migration options to ensure the protection of workers' human rights of Vietnamese migrants in the receiving countries.

Last but not least, the migrant workers themselves and their families need to proactively access information on labour and employment on official channels of the State instead of passively receiving unofficial information provided by others. From the cases of the two trainees, it is obvious to see that they did not have enough information before going abroad. They should not only get the information provided by dispatching companies but actively equip themselves with knowledge about labour export as well as State policies and laws on labour export to ensure their legitimate interests and, at the same time, protect themselves in necessary cases.

On the Japanese side, the government should increase inspections and examinations on receiving companies. Moreover, it is essential to improve the punishment of companies who break the law. Not only not permission to receive trainees, but also the punishment of criminals or sentences needs to be added. Moreover, the activities of supervising organisations should be inspected because they play an important role in supporting foreign trainees in Japan.

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Appendix

Interview questions of dispatching companies

1. What do you think about the new Vietnam law for working abroad?
2. The new law mainly focuses on the fees, and the human rights of trainees.
 - 2.1. How have the fees changed?
 - 2.2. How have the procedures changed?
- 2.3. Had you checked the companies (employers) before sending trainees to Japan?
- 2.4. Did you talk to trainees about their rights in TITP?
3. What do your companies do to support trainees before, during, and after TITP?
4. Has the number of trainees increased since the new law was launched?
5. Are the number of trainees more than those who applied by tokkutei gino?
6. Is tokkutei gino better than trainees?

Interview questions of trainees

1. How much did you pay for the dispatching companies? What were the components?
2. Have you been told about your rights and responsibilities before going to Japan according to Laws and contracts?
3. Did the dispatching company tell you in detail about your company in Japan (working environment, salaries, and other related issues)
4. What do you think about your jobs and working environment? Is it the same as you thought before going to Japan?
5. Do you think your companies are good? Could you explain your answer?
6. Do you have any problems in Japan? How do you deal with them?
7. What does the dispatching company support you in your TITP period?