

VIETNAMESE MIGRANT WOMEN WORKING ABROAD: RISKS AND CHALLENGES FOR ACCESSING SUPPORT SERVICES

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Abstract. *Today Vietnam is a country with second largest number of migrant workers in Southeast Asia. Every year a great number of Vietnamese women migrate abroad by various ways for earning a living. They might experience many risks such as labor exploitation, violence and human trafficking. Basing on qualitative data collected from in-depth interviews and focus-group discussions with return women migrant workers and with provincial authority agencies in 5 provinces in Vietnam, the article reflects the risks faced by women migrant workers and their limitation of accessing help services during the time working overseas. The study also examines the ways that Vietnamese women migrate abroad. The survey proved that Vietnamese female migrant workers generally find illegal migration riskier, but easier and cheaper because it does not require a command of foreign languages, vocational skills or costly fees. Illegal migrants do not have to sign any contracts, so they can return home whenever they want. However, illegal women migrant workers experience various risks including being captured by the police, being unable to work freely and inability to access official migrant support services. The author argues that in order to increase the ability of women migrant workers to avoid risks and access support services when working abroad, it is necessary to strengthen communication channels, which would help people to know more about reliable services to send migrants to work overseas. Trainings and professional orientation workshops before departure should include more information about possible risks and the ways to find accessible support in Vietnam as well as in the destination countries.*

Keywords: *migration, women, migrant worker, Vietnam.*

A Brief Introduction of the Policies and Women Migrant Workers of Vietnam

Sending labor abroad is one of priorities for the economic development of Vietnam. The government of Vietnam has introduced various policies aimed at promoting sending labor overseas and protecting the interests of migrant workers when working abroad. Vietnam protects the legal rights and interests of migrants working overseas, as well as enterprises and non-business organizations that send workers abroad. The government also requests the authorities as well as labor supply agencies to organize training courses for migrant workers before sending them abroad. A decree issued by the government on overseas employment of Vietnamese workers and specialists [Decree No. 152/1999/ND-CP, 1999], has specified procedures and mechanisms to create favorable conditions for overseas employment of Vietnamese migrant workers. Particularly, migrant workers are required to be equipped with basic foreign languages skills, cultural knowledge of the country of destination, and vocational skills prior to migration to ensure the requirements of international labor markets. This is considered as the basis for the establishment of agencies that provide training services for migrant workers.

In 2006, Vietnam Law on Migrant Workers Working Abroad under Contract was adopted to cover all essential regulations on sending labor to foreign countries under one official legal document. Obligations of agencies, enterprises and non-profit organizations for sending laborers to work abroad are also specified in this Law, including the provision

of services to migrant workers prior and during migration. The chapter III of the Law clearly prescribes the rights of Vietnamese migrant workers, including the right to request information from private recruitment agencies and/or public employment agencies about the laws and policies of Vietnam and countries of destination; customs and practices of countries of destination; obligations of relevant parties in protecting Vietnamese migrant workers in the countries of destination; the right to transfer their income and personal belongings to Vietnam in accordance with Vietnamese laws and the laws of the country of destination; rights to receive counselling services such as information about recruitment process, fees, contract condition to effectively exercise their aforementioned rights as prescribed in their labor and internship contracts. The government has issued a decision detailing and guiding the implementation of a number of articles of the Vietnam Law on migrant workers working abroad under contract [Decree No. 126/2007/ND-CP, 2007], including the contents of support for laborers working overseas such as documents regulating job provision, support policies, documents on management and use of deposit, documents on appropriate forms of contract, etc. Also in 2007, the Ministry of Labour, Invalid and Social Affairs issued another decision regulating the state apparatus on sending workers abroad and the apparatus on training migrant workers with essential knowledge prior migration [Decision No. 19/2007/QD-BLDTBXH, 2007]. Accordingly, the private recruitment agencies in addition to recruiting migrant workers, have to organize training courses providing necessary information on culture, identity, lifestyle, work style of destination countries; the basic contents related to the labor, criminal, civil and administrative laws of Vietnam and the country of destination; labor contracts; labor discipline, safety and hygiene; how to behave in work and life. The decision also has regulations on vocational skills and foreign languages training for migrant workers prior migration as requested by employers. Moreover, the private recruitment agencies have to coordinate with foreign parties in settling arising issues related to migrant workers during their time of working abroad under contracts; reporting and coordinating with overseas Vietnamese diplomatic and consular agencies to manage and protect the legitimate rights and interests.

Today Vietnam is a country with second largest number of migrant workers in Southeast Asia. According to the statistics from the Migration Department, there were more than 6,2 million Vietnamese people living outside Vietnam in 2015, and nearly 49% of them were female. The number of Vietnamese women who had migrated abroad increased considerably from 2,6 million in 2012 to nearly 3,1 million in 2015. Majority of female Vietnamese people go abroad at labor age (16-60 years old), commonly 20-49 years old. The review of Vietnamese migration abroad [Review..., 2012] reflects concerns about Vietnamese migrating abroad, including illegal migration, migrant smuggling, human trafficking, etc. This article examines the ways that Vietnamese women migrate abroad, the risks that they might experiences and their limitation in access to support when working overseas. The article is based on the data of the research mapping, and the assessment of the migration resource center model, and surveys that the author conducted in Vietnam for the UN Women and the ILO as a research consultant [Vietnam Migration Profile, 2017]. In particular, the article is based on findings from 15 in-depth interviews and 6 focus-group discussions conducted with return women migrant workers in 5 provinces (including Bac Ninh, Thanh Hoa, Phu Tho, Ha Tinh and Quang Ngai) in Vietnam in 2019.

The Ways of Migrating Abroad of Vietnamese Women Migrant Workers: Opportunities and Challenges

According to Vietnam Law on Migrant Workers Working Abroad Under Contract, Vietnamese people can migrate to work overseas under some types of contracts including: (i) employment contracts signed with private recruitment agencies providing overseas employment services, or with public employment agencies; (ii) labor contracts for sending workers abroad signed with contract-winning agencies in labor recruitment for labor migrants; (iii) contracts for sending workers abroad in the form of career skill development practice; (iv) individual contracts with enterprises at the country of destination. Nevertheless, it is found from the interviews with women migrant workers that there are some common ways for them to migrate overseas. The first is using services provided by public recruitment agencies, commonly by local Departments of Labor, Invalids and Social Affairs. However, it is difficult for many women to access the services of public recruitment agencies for many reasons. First, the information about the services and support measures for working abroad provided by public recruitment agencies is not easily accessible for everyone, especially for women who live in remote areas of the country. Second, many of them hesitate to use the services of public recruitment agencies because their procedures seem to be complicated and take much time. More importantly, people who want to go to work abroad via special government programs need to meet certain criteria: for example, have at least complete lower secondary education, good health conditions, pass a foreign language test or vocational skill assessment required by the programs. These requirements limit chances for migrating abroad through the government programs because of not meeting the required criteria.

In fact, the most common way by which women migrate abroad is through the services of private recruitment agencies or labor brokers. The private labor recruitment agencies make advertisements about labor migration in different areas of the country. They provide local people with more accessible services for going abroad for work. According to some participants of our survey, it is more convenient for them to use the information provided by such private labor recruitment agencies because of numerous communication channels and advertisements, for example, organizing seminars or counselling days in communes, hanging out posters and banners on the streets or in public places. The women using services of private labor recruitment agencies find it convenient and time saving because the agencies prepare migration-related documents for their service users. Nevertheless, the services of the private labor recruitment agencies are usually very costly and unaffordable for many women, especially those who live in poor areas. Unfortunately, some women are cheated by private labor recruitment agencies who receive money from potential migrants but do not arrange their successful migration abroad.

Notably, some women who could not find a job overseas through government programs because of having no information or not meeting the requirements, and women who cannot afford to pay for private labor recruitment services tried to go abroad by risky ways, including illegal migration. In this research, we analyzed interviews with women who migrated into labor importing countries such as China and Thailand for work illegally. They found illegal migration riskier, but easier and cheaper because it does not require a command of foreign languages, vocational skills or costly fees. Illegal migrants do not have to sign any contracts, so they can return home whenever they want. However, illegal women migrant workers experienced various risks including being captured by the police, being unable to work freely and inability to access official migrant support services in countries of destination.

Risks Experienced by Migrant Women Workers during Overseas Working Term

The common risk that some women migrant workers faced is labor exploitation. It is usually confronted by those who migrated abroad via private labor recruitment agencies. The common types of labor exploitation include not being paid as much as agreed in the contract, like in the examples as follows:

“Migrant workers often sign a labor contract which states the basic salary level; however, when working overseas, the salary level is different, for instance, extra working hours are not included in the payment.” (27 years old, Phu Tho province).

“In the signed labor contract, it was stated that my salary was 9 million dong but in fact, I did not get that salary.” (55 years old, Phu Tho province).

“The contract stated that my salary was 1,500 dollars per month but in fact, I was paid with only 1,000 dollars.” (36 years old, Phu Tho province).

According to the interviews with return women migrant workers, some of them had to work very long hours and overtime. A woman (36 years old) who used to work in Saudi Arabia said: *“The signed labor contract regulated that the migrant laborers would work 8 hours a day but in fact, we had to work for 15 – 16 hours a day.”*

Another risk that the migrant women workers face is violence, including mental and physical violence, as well as sexual harassment. Several women confided that they were treated badly, such as being insulted or scolded, even beaten. A woman who returned from Taiwan said:

“I was often scolded and beaten... I took care of a patient in a hospital. She asked me to go to buy some food for her and I had to come back within 30 minutes; however, I had to queue for a long time to buy food in the hospital shop. If I was late, I was beaten and left to starve.” (55 years old, Phu Tho province).

The woman also mentioned that some other Vietnamese migrant workers in Taiwan told her that they were beaten and were not allowed to eat by their employers.

Notably, some women migrant workers experienced domestic violence even when they lived separately from the household where they worked. As we know, there are various type of domestic violence (physical, sexual, mental and economic violence). The research found that some women suffered from mental violence caused by their husbands living in Vietnam. According to some interviewees, women migrant workers had to put up with the pressure from prejudices of Vietnamese people about female migrants, considering them as getting with adultery or sexual relation when living far away from their family. A woman (36 years old, Quang Ngai) who returned from South Korea said:

“People in our community think that women who migrate abroad for work will fall in love with other guys and have dates... My husband also thinks so. He phoned me every day suspecting and cursing me. He talked badly about me to many people in my commune. I was so sad and stressed, because he called and scolded me every day so much that I didn't want to pick up the phone when he called, because I couldn't bear it.”

None of the participants of the survey admitted that they faced sexual abuse, however, they reported sexual harassment to other Vietnamese women working abroad together with them. Some return women migrant worker told the stories of their friends who used to be sexually harassed by their male employers or robbers.

Women migrant workers are also at the risk of human trafficking. A woman in Bac Ninh province said that a member of her family was trafficked when migrating to Taiwan. A month after arriving in Taiwan, she was told by a stranger that she would work for another employer; however, after that she was taken to a brothel in the mainland in

China. She was imprisoned there and became a sex worker. After two years, she managed to escape from the brothel and found her way back to Vietnam.

Limitations in Access to Support Services for Women Migrant Workers

Although female labor migrants experienced various risks when working abroad, their access to support services was very limited. Most of them did not have an access to the psychological counseling services for releasing worries and stresses when working overseas. It was also difficult for them to find a support in the countries of destination. One of the reasons is that women migrant workers are not equipped with essential knowledge and skills to address with problems which arise when working abroad. When being asked what they did when facing risks, women migrant workers usually reported that they contacted the labor recruitment agencies which had sent them overseas or Vietnam's embassies in destination countries. They did not have much information about other support services in Vietnam or in destination countries.

Lacking information is a major cause of women migrant workers' limited access to support services. We found out that when preparing for migration abroad, women migrant workers are usually concerned more with economic issues (such as salary, working time, bonus) than possible risks and how to handle them. Hence, when experiencing risks, it is difficult for them to find help since they do not know enough about support services. A female migrant worker (29 years old, Quang Ngai province) who returned from South Korea recalled of difficulties when looking for help when another Vietnamese female worker was beaten and raped in the country. She said that they called the phone number that they had been given by their labor recruitment agency, however, they did not receive any help.

“When she called the recruitment agency, they did not send a staff to meet her, but gave her a contact number of an organization and told her that the organization could help, because there were Vietnamese people there. Then she called that number, but the call recipient spoke only Korean. She tried several times and finally a staff speaking Vietnamese answered her. However, after knowing that she was looking for help, that person began to speak to her in Korean... That organization did not want to help her and tried to avoid her.”

It appears that poor knowledge of foreign languages is a barrier preventing women migrant workers from using the support services of destination countries. In fact, when being exploited, violated or abused, women migrant workers usually contacted with labor brokers or private labor recruitment agencies who had sent them overseas. The common supports that the agencies supplied to the migrant workers are to negotiate with their employers about working time or salary, or arrange other jobs for them. In case they could not solve the problem, women migrant workers could be sent back to Vietnam. Nevertheless, we found out that coming back to Vietnam is not easy for some migrants. A woman (36 years, Phu Tho province) who returned from Saudi Arabia said that she could not tolerate bad treatment from her employer and asked the recruitment agency to terminate her contract and arrange her coming back to Vietnam. However, she was required to pay the agency 30 million Vietnamese dong because of breaking the contract. Her family in Vietnam had to borrow the money from their relatives to pay to the labor recruitment agency in order to arrange her return to Vietnam. As a consequence, her family got in debt when she came back to Vietnam because they had to get a credit loan to pay for her migration abroad and then to pay for her return. In fact, many women migrant workers did not receive any support from the agencies, so they had to put up with

financial inefficiency (they were paid less than it was agreed in their labor contracts) to continue their jobs.

When not being able to find any support overseas and solve their problems, some women asked for help from their family members in Vietnam who then reported about their situation to authority agencies in Vietnam asking for support. Nevertheless, according to a staff of the Social Worker Division in Vietnam (Phu Tho province), they experienced difficulties in giving support to women migrant workers on time because they sometimes could not contact the migrants directly and had to contact their family members instead. These might cause a delay in support or not having adequate information for providing the support that the migrant actually needs.

Conclusion

Women migrant workers face various risks during their overseas working terms, which commonly include labor exploitation and violence. Nevertheless, their access to support services overseas is limited. One of the reasons for it is that they do not know how to deal with the arising risks or where to seek resources for support. In addition, poor command of foreign languages is also a barrier for them to access support services overseas. In Vietnam, provision of support for overseas migrant workers who are at risks mainly relies on the information provided by family members of migrant workers. Hence, the support for women migrant workers overseas from competent agencies in Vietnam sometimes does not come on time.

Women migrant workers who faced risks overseas seldom asked for help from supports services in Vietnam or in their destination country; instead, they usually contacted labor recruitment agencies who had sent them oversea. Women also might not be able to access the counselling services when they have psychological problems. These might arise from their lack of information about support services which are available, accessible and reliable for women migrant workers.

In order to increase the ability of women migrant workers to avoid risks and access support services when working abroad, it is necessary to strengthen communication channels (such as loudspeakers in communes/villages, bulletins on labor dispatch, informing about safe ways of migration on TV channels) which are accessible for women, especially those who live in poor or remote areas of the country, which would help people to know more about reliable services to send migrants to work overseas. Trainings and professional orientation workshops before departure should include more information about possible risks and the ways to find accessible support in Vietnam as well as in the destination countries of women migrant workers.

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ВЬЕТНАМСКИЕ ЖЕНЩИНЫ-МИГРАНТЫ, РАБОТАЮЩИЕ ЗА ГРАНИЦЕЙ: РИСКИ И ПРОБЛЕМЫ ДОСТУПА К СЛУЖБАМ ПОДДЕРЖКИ

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Аннотация. *Сегодня Вьетнам – это вторая страна в Юго-Восточной Азии по числу отправляемых ей за границу рабочих-мигрантов. В том числе ежегодно большое количество вьетнамских женщин мигрируют за границу различными способами, чтобы заработать себе на жизнь. Они могут столкнуться со многими рисками, такими как трудовая эксплуатация, насилие и торговля людьми. Основываясь на качественных данных, собранных в ходе глубинных интервью и обсуждений в фокус-группах с вернувшимися на родину женщинами-мигрантами, а также с местными органами власти в пяти провинциях Вьетнама, в статье отражены риски, с которыми сталкиваются трудящиеся женщины-мигранты, и проблемы ограничения их доступа к службам помощи мигрантам во время работы за границей. В работе также рассматриваются способы миграции вьетнамских женщин за границу. Исследование показало, что женщины, выезжающие из Вьетнама с целью трудоустройства, обычно считают нелегальную миграцию более рискованной, но более простой и дешевой, поскольку для этого не требуются владение иностранными языками, профессиональные навыки или дорогостоящие сборы. Незаконным мигрантам не нужно подписывать никаких контрактов, поэтому они могут вернуться домой, когда захотят. Однако нелегальные трудовые мигрантки сталкиваются с различными рисками, включая задержание полицией, невозможность работать свободно и ограниченность доступа к официальным службам поддержки мигрантов. Автор доказывает, что для повышения способности трудящихся женщин-мигрантов избежать этих рисков и улучшения их доступа к службам поддержки во время работы за границей необходимо укреплять каналы коммуникации, которые помогли бы им узнать больше о надежных услугах по трудоустройству в других странах. Тренинги и семинары по профессиональной ориентации перед отъездом должны включать дополнительную информацию о возможных рисках и способах получения доступной поддержки во Вьетнаме, а также в странах назначения.*

Ключевые слова: миграция, женщины, трудовые мигранты, Вьетнам.

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