



International
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MINISTRY OF LABOUR - INVALIDS AND SOCIAL AFFAIRS

MEMORANDUM OF UNDERSTANDING

Between the Ministry of Labour - Invalids and Social Affairs and the International Labour Organization, on the Cooperation to promote international labour standards in Viet Nam for the period 2021-2030

The Ministry of Labour - Invalids and Social Affairs (MOLISA) and the International Labour Organization (the ILO Country Office for Viet Nam) (hereinafter referred to as “the Parties”),

Recognize the role and the importance of promoting the application and implementation of international labour standards in Viet Nam, contributing to the development of the Plan for implementation and proposal for further ratification of ILO Conventions by Viet Nam during the period 2021-2030,

With the desire to enhance the close cooperation to promote the ratification and application of international labour standards in Viet Nam where appropriate, the Parties agree to present a Memorandum of Understanding on the Cooperation to promote international labour standards in Viet Nam for the period 2021-2030 (hereinafter abbreviated as MOU), demonstrating their mutual commitment and creating a formal cooperation framework between MOLISA and the ILO Country Office for Viet Nam in this important area,

The Parties agree as follows:

Article 1. Objective of the cooperation and the principles underlying it

1. The objective of the cooperation

The Parties cooperate to promote the ratification and implementation of international labour standards in Viet Nam for the period 2021-2030 through the establishment and implementation of a cooperation framework between MOLISA and the ILO Country Office for Vietnam.

2. The principles underlying the cooperation

The Parties cooperate to implement this MOU in a respectful, goodwill and constructive manner and in compliance with Viet Nam's legislation and international treaties to which Viet Nam is a signatory.

Article 2. The general scope of the cooperation

1. Enhance the social awareness of the international labour standards and their practices in Viet Nam.

2. Cooperate in the implementation of activities to internalize the ILO Conventions ratified by Viet Nam into Vietnamese law, and to enforce the Conventions in Viet Nam.

3. Enhance the capacity of relevant agencies of Viet Nam to apply international labour standards.

4. Cooperate in promoting the capacity of relevant agencies of Viet Nam to fulfill their reporting obligations on implementation of ratified ILO Conventions.

5. Cooperate in monitoring the implementation of ILO Conventions ratified by Viet Nam.

6. Continue to undertake studies and develop proposals for the ratification by Viet Nam of further relevant ILO Conventions.

7. Cooperate in other areas of mutual interests.

Article 3. The scope of the cooperation in particular

1. Disseminate and enhance awareness of the ILO Conventions that Viet Nam has ratified and other Conventions of mutual interests.

2. Enhance the enforcement of ILO Conventions that Viet Nam has ratified, that includes the enforcement of ILO Conventions under the framework of new generation of free trade agreements to which Viet Nam is a signatory, and develop the content and a roadmap for the internalization of the ILO Conventions into national legislation and for their enforcement.

3. Ensure the participation of social partners (representing workers and employers) in the application and fulfillment of reporting obligations of implementing international labour standards

4. Promote the fulfillment of the regular and ad-hoc reporting obligations for implementation of ILO Conventions that Viet Nam has ratified and improve the quality of reporting in terms of national legislation and national practices.

The Table of reporting obligations of Viet Nam on ILO Conventions for the period 2021-2026 is attached as Annex 01 to this MOU.

5. Develop a system to monitor and evaluate the enforcement of ILO Conventions that Viet Nam has ratified.

6. Propose a roadmap and develop recommendations to promote the ratification of ILO Conventions which Viet Nam has not yet ratified based on strategic considerations, taking into account the national interests, foreign relations, and international commitments of Viet Nam.

The List of ILO Conventions to be studied and proposed for ratification for the period 2021-2030 is attached as Annex 02 to this MOU.

Article 4. Responsibilities of the Parties

1. The Parties will develop, agree and cooperate to implement specific cooperation activities in realization of their commitments under this MOU.

2. The Parties agree to cooperate in good faith, to mobilize resources and assist each other in the implementation of the activities within the framework of this MOU in accordance with its respective rules, procedures and policies.

Article 5. Implementation of the MOU

1. The Parties will regularly track the progress of agreed activities, and periodically evaluate the implementation of the MOU.

2. The Department of Legal Affairs of MOLISA will be focal point, and in collaboration with Department of International Cooperation of MOLISA, will be undertaking the task of cooperating with the ILO Country Office for Viet Nam to coordinate and implement the activities outlined in this MOU.

3. The Parties will hold regular consultations with the employers' representative organizations and workers' representative organizations on issues relevant to the implementation of this MOU.

4. Any differences related to the implementation of this MOU will be discussed and agreed between the Parties through consultations or negotiations

Article 6. Amendment of the MOU

This MOU can only be amended by written agreement between the Parties. Any amendment shall constitute an integral part of this MOU.

Article 7. Effect of the MOU

1. This MOU is not an international treaty; therefore, it does not constitute a binding obligation for Viet Nam in accordance with international laws.

2. Following consultation between the Parties, this MOU may be terminated by either Party by written notice to the other. The MOU will become invalid 30 days after the Party's receipt of such written notice from the other.

3. All disputes between the Parties related to this MOU will be resolved by joint negotiation between the Parties.

4. This MOU will come into force on the date of its signing by both Parties and will remain into force until 31 December 2030, unless terminated as per clause 2 of this Article.

This MOU is signed in Hanoi, Viet Nam on 20th May 2021 and is made into two sets of which each Party shall keep one. Each set includes a version of the MOU in Vietnamese and a version in English.

Chang-Hee Lee
Director
ILO Country Office for Vietnam



Le Van Thanh
Deputy Minister
Ministry of Labour, Invalids and
Social Affairs





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MINISTRY OF LABOUR – INVALIDS AND SOCIAL AFFAIRS

ANNEX 01

Table of reporting obligations of Viet Nam on ILO Conventions for the period 2021-2026

(Attached to the MOU signed between MOLISA and the ILO Country Office for Viet Nam on 20th May 2021)

No.	Name of Convention	Ratification year	Type of Report	Report time	Agency in charge	Supporting Agency
1.	C027 - Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)	1994	Regular	2021	Ministry of Transportation	- MOLISA - Vietnam General Confederation of Labour, Vietnam Chamber of Commerce and Industry, Vietnam Cooperative Alliance and other agencies (hereinafter referred to as “Social partners”)

No.	Name of Convention	Ratification year	Type of Report	Report time	Agency in charge	Supporting Agency
2.	C088 - Employment Service Convention, 1948 (No. 88)	2019	First report	2021	MOLISA	Social partners
3.	C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	2019	First report	2021	MOLISA	- Social partners - Ministry of Justice
4.	C100 - Equal Remuneration Convention, 1951 (No. 100)	1997	Regular	2021	MOLISA	Social partners
5.	C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	1997	Regular	2021	MOLISA	Social partners
6.	C159 - Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983, (No. 159)	2019	First report	2021	MOLISA	Social partners
7.	C088 - Employment Service Convention, 1948 (No. 88)	2019	Regular	2022	MOLISA	Social partners
8.	C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	2019	Regular	2022	MOLISA	- Social partners - Ministry of Justice
9.	C105 - Abolition of Forced Labour Convention, 1957 (No. 105)	2020	First report	2022	MOLISA	- Social partners - Ministry of National Defence

No.	Name of Convention	Ratification year	Type of Report	Report time	Agency in charge	Supporting Agency
						- Ministry of Justice
10.	C122 - Employment Policy Convention, 1964 (No. 122)	2012	Regular	2022	MOLISA	- Social partners - Ministry of Finance - Ministry of Planning and Investment
11.	C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	2008	Regular	2022	MOLISA	Social partners
12.	C159 - Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)	2019	Regular	2022	MOLISA	Social partners
13.	C006 - Night Work of Young Persons (Industry) Convention, 1919 (No. 6)	1994	Regular	2023	MOLISA	- Social partners - Ministry of Industry and Trade
14.	C029 - Forced Labour Convention, 1930 (No. 29)	2007	Regular	2023	MOLISA	- Social partners - Ministry of Justice - Ministry of Public security

No.	Name of Convention	Ratification year	Type of Report	Report time	Agency in charge	Supporting Agency
15.	C081 - Labour Inspection Convention, 1947 (No. 81)	1994	Regular	2023	MOLISA	- Social partners - Government Inspectorate - Ministry of Industry and Trade
16.	C105 - Abolition of Forced Labour Convention, 1957 (No. 105)	2020	Regular	2023	MOLISA	- Social partners - Ministry of National Defence - Ministry of Justice
17.	C124 - Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)	1994	Regular	2023	Ministry of Health	- MOLISA - Ministry of Health - Ministry of Industry and Trade - Ministry of Natural Resources and Environment - Government Inspectorate - Social partners
18.	C138 - Minimum Age Convention, 1973 (No. 138)	2003	Regular	2023	MOLISA	Social partners
19.	C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)	2000	Regular	2023	MOLISA	Social partners

No.	Name of Convention	Ratification year	Type of Report	Report time	Agency in charge	Supporting Agency
20.	C100 - Equal Remuneration Convention, 1951 (No. 100)	1997	Regular	2024	MOLISA	Social partners
21.	C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	1997	Regular	2024	MOLISA	Social partners
22.	C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	2019	Regular	2025	MOLISA	- Social partners - Ministry of Justice
23.	C122 - Employment Policy Convention, 1964 (No. 122)	2012	Regular	2025	MOLISA	- Social partners - Ministry of Finance - Ministry of Planning and Investment
24.	C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	2008	Regular	2025	MOLISA	Social partners
25.	C014 - Weekly Rest (Industry) Convention (No. 14)	1994	Regular	2026	MOLISA	Social partners
26.	C029 - Forced Labour Convention, 1930 (No. 29)	2007	Regular	2026	MOLISA	- Social partners - Ministry of Justice - Ministry of Public security

No.	Name of Convention	Ratification year	Type of Report	Report time	Agency in charge	Supporting Agency
27.	C045 - Underground Work (Women) Convention, 1935 (No. 45)	1994	Regular	2026	MOLISA	- Social partners - Ministry of Natural Resources and Environment - Ministry of Industry and Trade
28.	C081 - Labour Inspection Convention, 1947 (No. 81)	1994	Regular	2026	MOLISA	- Social partners - Government Inspectorate - Ministry of Industry and Trade
29.	C105 - Abolition of Forced Labour Convention, 1957 (No. 105)	2020	Regular	2026	MOLISA	- Social partners - Ministry of National Defence - Ministry of Justice
30.	C120 - Hygiene (Commerce and Offices) Convention, 1964 (No. 120)	1994	Regular	2026	MOLISA	- Social partners - Ministry of Health - Ministry of Industry and Trade
31.	C138 - Minimum Age Convention, 1973 (No. 138)	2003	Regular	2026	MOLISA	Social partners

No.	Name of Convention	Ratification year	Type of Report	Report time	Agency in charge	Supporting Agency
32.	C155 - Occupational Safety and Health Convention, 1981 (No. 155)	1994	Regular	2026	MOLISA	- Social partners - Ministry of Health
33.	C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)	2000	Regular	2026	MOLISA	Social partners
34.	C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	2014	Regular	2026	MOLISA	- Social partners - Ministry of Health



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ANNEX 02

**List of ILO Conventions to be studied and proposed for ratification
for the period 2021-2030**

*(Attached to the MOU signed between MOLISA and the ILO
Country Office for Viet Nam on 20th May 2021)*

No.	Name of Convention	Study and proposal time	Agency in charge	Supporting Agency
I	Fundamental Conventions: 01 Convention			
1	C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	2021-2023	MOLISA	Vietnam General Confederation of Labour, Vietnam Chamber of Commerce and Industry, Vietnam Cooperative Alliance and other agencies (hereinafter referred to as “Social partners”)
II	Governance Conventions: 01 Convention			
1	C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129)	2021-2026	MOLISA	- Social partners - Government Inspectorate - Ministry of Natural Resources and Environment
III	Technical Conventions: 13 Conventions			
III.1	Wages			

1	C095 - Protection of Wages Convention, 1949 (No. 95)	2021-2026	MOLISA	- Social partners - Ministry of Finance - Ministry of Planning and Investment
2	C131 - Minimum Wage Fixing Convention, 1970 (No. 131)	2021-2026	MOLISA	Social partners
3	C177 - Home Work Convention, 1996 (No. 177)	2026-2030	MOLISA	Social partners
4	C189 -Domestic Workers Convention, 2011 (No. 189)	2021-2026	MOLISA	Social partners
III.2 Migrant workers				
1	C097 - Migration for Employment Convention (Revised), 1949 (No. 97)	2026-2030	MOLISA	- Social partners - Ministry of Foreign Affairs
2	C143 - Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	2026-2030	MOLISA	- Social partners - Ministry of Foreign Affairs
III.3 Social security				
1	C102 - Social Security (Minimum Standards) Convention, 1952 (No. 102)	2021-2026	MOLISA	Social partners
III.4 Labour market development				
1	C142 - Human Resources Development	2026-2030	MOLISA	- Social partners - Ministry of Education and Training

	Convention, 1975 (No. 142)			- Ministry of Planning and Investment
2	C160 - Labour Statistics Convention, 1985 (No. 160)	2021-2026	MOLISA	- Ministry of Planning and Investment - Social partners
3	C181 - Private Employment Agencies Convention, 1997 (No. 181)	2021-2026	MOLISA	Social partners
III.5 Safety and health				
1	C176 - Safety and Health in Mines Convention, 1995 (No. 176)	2026-2030	MOLISA	- Social partners - Ministry of Natural Resources and Environment - Ministry of Industry and Trade - Ministry of Health
2	C184 - Safety and Health in Agriculture Convention, 2001 (No. 184)	2026-2030	MOLISA	- Social partners - Ministry of Natural Resources and Environment - Ministry of Health
III.6 Violence and harassment				
1	C190 - Violence and Harassment Convention, 2019 (No. 190)	2026-2030	MOLISA	Social partners