

# Cross-National Labor Migration of Koreans and Vietnamese (Approach from A Policy Perspective)

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## ABSTRACT

In the context of globalization, the number of international labor migrations is continuously increasing. This trend is particularly noticeable in Asian countries, where the wave of migration and investment has been rapid and robust since the 1990s. This shift occurred as more countries began to adopt open policies and proactively integrate into the international community. Vietnam and South Korea, two countries with comprehensive partnerships, large labor forces, and significant investment sources, are prime examples of this trend. This article will focus on analyzing the changes and improvements in policies from the governments of Vietnam and South Korea. These policy adjustments aim to enhance the environment for their citizens to participate in the international labor market.

**Keywords:** *International Labor, International Migration, Policy, South Korea, Vietnam.*

## 1. INTRODUCTION

In the context of globalization, the phenomenon of labor migration has assumed considerable significance, manifesting as a pervasive trend. Exploring the dynamics of labor migration within the populations of South Korea and Vietnam not only provides insight into the fundamental nature and trajectory of this phenomenon but also yields valuable perspectives for shaping future policy frameworks and management strategies. South Korea and Vietnam, each characterized by distinct historical and cultural backgrounds, stand as noteworthy examples of nations experiencing high levels of labor migration.

National policies exert a substantial influence on the patterns and processes of labor migration. An examination of the policy frameworks governing labor migration in both South Korea and Vietnam facilitates an understanding of the mechanisms and strategies employed by these nations to manage labor migration and harness its associated benefits effectively.

Moreover, the exploration of labor migration among South Koreans and Vietnamese individuals presents an opportunity for bilateral collaboration between the two countries in the domains of labor and migration policies. By conducting comprehensive analyses of prevailing conditions and policy frameworks, both nations can collaborate to develop effective solutions and policies for addressing the challenges of labor migration.

Consequently, research into labor migration within South Korea and Vietnam offers valuable insights into the specificities and complexities characterizing the labor migration landscape of each country. This article aims to focus on a policy-oriented analysis of cross-national labor migration among South Koreans and Vietnamese individuals, with the goal of understanding, grasping, and contributing to the resolution of contemporary challenges associated with labor migration.

## 2. RESEARCH METHODOLOGY

**Text and Document Analysis Methodology:** The exploration of textual materials and documents derived from esteemed international entities such as the OECD, ILO, and various non-governmental organizations (NGOs) constitutes a valuable approach for accessing comprehensive insights into global trends in labor migration and the frameworks governing labor policies. This methodology facilitates a nuanced examination of existing and evolving policy measures designed to regulate labor environments and labor migration, drawing upon authoritative sources such as legal statutes, governmental reports, and press releases.

**Survey Administration and Data Processing:** A survey questionnaire was distributed to a sample of 136 participants between November 2023 and January 2024. The respondents predominantly comprised Korean residents residing in

District 7, Ho Chi Minh City. The collected survey data underwent primary analysis utilizing SPSS 20.0 software, enabling the extraction of pertinent findings and statistical interpretations.

Supplementary Documentation: Furthermore, supplementary materials from secondary sources augment this inquiry, particularly in the domain of statistical analysis concerning the dynamics of labor migration and the broader labor landscape. These sources provide quantitative data pertaining to migrant demographics, trends, and the effectiveness of policy interventions, thereby enriching the analytical framework of the study.

### 3. THEORETICAL FRAMEWORK

#### 3.1. *International migration*

The International Organization for Migration (IOM) defines "international migration as the movement of individuals leaving their country of origin or habitual residence regularly to establish a new life elsewhere, whether temporarily or permanently, with crossing an international border being the defining factor" (International Organization for Migration, 2011, p.66). In the current era of globalization, economic integration has spurred the formation of alliances across regional, subregional, and continental levels, progressively erasing borders in terms of assets, services, capital, and communication. Consequently, there has been a notable increase in human mobility, particularly evident in both developed and developing nations where corporations and companies are actively engaged in global supply chains. As a result, international labor migration across borders has diversified in various forms, aligning with the broader trend of globalization and facilitating a continuous flow of migration, both in the short and long term.

International migration encompasses various timeframes, including long-term migration, temporary migration, and seasonal migration. Long-term migration, or long-term migrant status, requires individuals to relocate and reside in another country for a minimum period of one year (International Organization for Migration, 2011, p.75). Temporary migration entails individuals residing in a foreign country for at least three months but less than a year, with the intention of deciding whether to settle permanently. Examples of temporary migration include travel for leisure, holidays, visiting friends or relatives, business trips, or medical treatment (International Organization for Migration, 2011, p.111). In contrast, seasonal migration involves individuals participating in economic activities on a seasonal basis, such as during construction or tourism seasons, with no intention of long-term stay, returning to their home country once their temporary work ends (International Organization for Migration, 2011, p.111).

Regarding the purpose of migration, four main types of migration, or immigration, can be identified: ecological migration, commercial migration, political and war-related migration, and labor migration. While diplomatic relations and unavoidable circumstances may result in special cases of ecological and political or war-related migration, the predominant reasons for foreigners coming to live and work in Vietnam are commercial and labor-related. Conversely, Vietnamese migrants heading to other countries for labor export purposes consistently constitute a significant proportion of migration flows compared to other forms of migration.

#### 3.2. *Migrant worker*

Foreign workers coming to work in a country are also referred to as "migrant workers". According to the Convention adopted by the United Nations General Assembly on December 18, 1990, under Resolution A/RES/45/158, effective from July 1, 2003, the term "migrant worker" refers to a person who is, has been, or will be engaged in remunerated work in a country where they are not a citizen (Article 2, Clause 1). Article 5 of this Convention distinguishes migrant workers and their family members into two categories: (i) Those with legal documents (or lawful); and (ii) Those without documents (or unlawful). Category (i) comprises individuals authorized by a country to enter, stay, and work for remuneration, while category (ii) includes those denied similar rights.

According to Article 2 (2) (g), the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families defines a subgroup of migrant workers known as specified employment workers as follows:

- (i) Migrant workers sent by employers to work in a country to perform a specific task or duty within a specified or determinable period;
- (ii) Individuals engaged for a limited or determinable period in a specific job requiring professional, commercial, technical, or high-level skills;

(iii) Individuals recruited by employers in their home country to participate for a limited or determinable period in a job that is by nature temporary or short-term, and they are required to leave the country when the authorized residence period expires, or sooner if they no longer perform the task or duty or cease employment.

Two forms of labor migration, project-tied workers and itinerant workers (Article 2(2) (f) and Article 2(2) (e)), have characteristics similar to specified employment migration but are more specifically regulated concerning the duration and nature of the work of international migrant workers (United Nations General Assembly, 1990).

Regarding residency status, international migrants typically have either permanent settlement or permanent residence status, both of which are recognized by the host country as granting the right to live and work long-term without citizenship. The condition is that migrants must possess a residence permit, a document issued by the competent authority of the receiving country to a non-citizen, confirming their right to reside in that country for the validity period of the residence permit (International Organization for Migration, 2011).

## 4. RESULTS AND DISCUSSIONS

### 4.1. Cooperation Strategies and Factors Promoting Labor Migration between Vietnam and South Korea

#### 4.1.1. Events in Diplomacy and Processes Promoting Labor Cooperation between Vietnam and South Korea

The establishment of diplomatic relations on December 22, 1992, is considered a milestone, opening the door to a new era in the bilateral history between Vietnam and South Korea. Leveraging the momentum of diplomatic relations development, in the years following the establishment of bilateral relations, the governments of both countries continued to sign a series of agreements in trade, technology, economy, aviation, sports, culture, transportation, and more. Throughout the diplomatic relationship-building process, the most notable agreements marking the development of relations between the two countries include (see Table 1):

**Table 1.** List of Political Events between Vietnam and South Korea Since 1992

Time	Event Description
Feb-93	Technical-economic cooperation agreement signed
Mar-93	Vietnam officially opens the Vietnamese Embassy in Seoul
May-93	Trade agreement-Air transport agreement-Commencement of negotiations agreement
May-94	Double taxation avoidance agreement (May 1994)
Aug-94	Cultural agreement
Mar-95	Customs cooperation agreement
Apr-95	Science and technology cooperation agreement-Maritime transport agreement
Sep-95	Signing of information cooperation agreement
Nov-96	Sports exchange agreement
Nov-96	Atomic energy agreement
Dec-98	Visa exemption agreement for diplomatic personnel and official passports
Aug-02	Tourism agreement
Aug-21	President Tran Duc Luong and President Kim Dae-jung declared the establishment of "Comprehensive Partnership in the 21st Century"
Jul-02	Cooperation agreement in the field of construction
Sep-03	Judicial cooperation agreement on criminal matters - Extradition cooperation agreement
16-Aug-03	The South Korean National Assembly approves the Law on Issuing Work Permits to Foreign Workers (EPS Program), opening opportunities for Vietnamese laborers to work in South Korea.
Apr-05	Non-refundable aid and technology cooperation agreement

**Table 1.** List of Political Events between Vietnam and South Korea Since 1992 (cont.)

Time	Event Description
Jun-06	Memorandum of Understanding between the State Bank of Vietnam and the Financial Supervisory Commission of South Korea
Jul-06	Memorandum of Understanding on the Foreign Labor Permit Program
Nov-06	Atomic energy development cooperation agreement
Aug-10	South Korean President Lee Myung-bak's official visit to Vietnam, marking a significant step in the relationship between the two countries

Mar-12	Vietnamese Prime Minister Nguyen Tan Dung's official visit to South Korea, emphasizing the enhancement of economic, investment, and educational cooperation between the two countries.
Sep-16	South Korean President Park Geun-hye's official visit to Vietnam, where the two countries agreed to enhance cooperation in areas such as trade, investment, and energy.
Mar-18	South Korean President Moon Jae-in's official visit to Vietnam, creating new momentum for cooperation between the two countries, especially in the fields of trade, commerce, and information technology.
Oct-19	South Korean Foreign Minister Kang Kyung-wha's official visit to Vietnam, promoting cooperation in culture, tourism, and education between the two countries.
Nov-19	Vietnamese Prime Minister Nguyen Xuan Phuc's official visit to South Korea, signing multiple agreements on economic and investment cooperation, demonstrating the commitment of both countries to promote bilateral relations.
Jun-2020	Vietnam and South Korea signed the Trade Agreement to implement the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), enhancing economic and trade cooperation between the two countries.
Sep-2021	Vietnamese Foreign Minister Bui Thanh Son's official visit to South Korea, discussing the promotion of multilateral and bilateral cooperation, as well as enhancing cooperative relations between the two countries.
Oct-2021	The 2nd Korea-Vietnam Business Forum took place in Hanoi, providing opportunities for businesses from both countries to meet, exchange experiences, and seek cooperation opportunities.
Dec-2021	Vietnamese Minister of Labor, Invalids and Social Affairs - Mr. Dao Ngoc Dung and South Korean Minister of Health and Welfare - Mr. Kwon Deok Cheol signed a bilateral agreement on social insurance between the two countries, aiming to ensure social security for the people of both countries.
5-Dec-2022	Commemorating 30 years of establishment of diplomatic relations between the two countries (12/22/1992 - 12/22/2022), President Nguyen Xuan Phuc and President Yoon Suk-yeol issued a Statement upgrading the Vietnam - South Korea relationship to a Comprehensive Strategic Partnership.

(Source: Compilation of diplomatic news events, 2024)

Up to now, significant milestones in labor cooperation with South Korea include the year 2003, when the South Korean National Assembly approved the Law on Permitting Foreign Workers (known as the EPS program), effective from August 1, 2004, opening up opportunities for many Vietnamese workers to work in South Korea. Especially, to comprehensively protect the rights of workers from both countries while working in each other's territories, amidst the increasing numbers of Vietnamese workers in South Korea and South Korean workers in Vietnam. The subsequent event took place on December 14, 2021, in the capital Seoul, witnessed by the Chairman of the National Assembly Vuong Dinh Hue, representing the Governments of Vietnam and South Korea, Minister of Labor, War Invalids and Social Affairs of Vietnam - Mr. Dao Ngoc Dung, and Minister of Health and Social Welfare of South Korea - Mr. Kwon Deok Cheol signed a bilateral agreement on social insurance between Vietnam and South Korea. This marks a new step in cooperative relations to ensure social security for the people of both countries.

The labor cooperation policy between Vietnam and South Korea has been implemented since 1993 and has gone through several stages. Cooperation agreements have been signed multiple times in 2004, 2009, 2013, and 2019. Most recently, a Memorandum of Understanding (MOU) was signed regarding the dispatch and reception of Vietnamese workers to work in South Korea under the Employment Permit System (EPS) on June 23, 2023. The contents of this MOU also include provisions related to the responsibilities of the dispatching and receiving agencies, dispatch costs, selection procedures, candidate introduction, and contract signing. It also stipulates pre-departure preparations, support during the dispatch and reception of workers, as well as preventive measures and minimization of situations where workers' contracts expire but they do not voluntarily return to their home country. The memoranda of understanding on labor cooperation between Vietnam and South Korea have opened up many job opportunities in South Korea for Vietnamese workers, especially in industries such as manufacturing, shipbuilding, information technology, agriculture, fisheries, tourism, retail services, nursing, and domestic assistance.

#### 4.1.2. International labor agreements between Vietnam and South Korea regarding labor.

In addition to the memoranda and agreements between the two countries, along the trajectory of close cooperation between Vietnam and South Korea, the two countries have also implemented several agreements and labor cooperation programs such as:

**Korea-Vietnam Economic Cooperation Program (KOVECO):** The KOVECO program is an economic cooperation program between South Korea and Vietnam aimed at promoting economic cooperation between the two countries. The program focuses on various areas such as trade, investment, technology, and infrastructure development. KOVECO provides financial support and consultancy services to businesses from both countries to facilitate the expansion of business operations and investment. Additionally, the program aims to promote cooperation in technology and research development, as well as sustainable infrastructure development in both countries. KOVECO has the potential to generate

many economic and social benefits, including enhancing trade, creating employment opportunities, and improving the quality of life for people. Besides focusing on general economic cooperation, KOVECO also provides opportunities for Vietnamese workers to work in South Korea through recruitment and training programs.

**Management and Development of Overseas Employment (MDOLE) Program:** The MDOLE program is significant in managing and developing labor working abroad. Its main objective is to provide necessary services and support for Vietnamese workers when they work in other countries to ensure fair and safe working conditions. The program focuses on various aspects of labor management, including recruitment processes, training, pre- and post-deployment counseling, as well as addressing issues arising during work abroad. MDOLE also ensures that workers are trained and equipped with the necessary knowledge and skills for their jobs. Moreover, MDOLE supports the establishment of strong cooperation between Vietnam and recipient countries to facilitate and enhance the rights of Vietnamese workers. The program also emphasizes raising awareness and knowledge about labor rights and protection measures when working abroad. MDOLE plays a crucial role in ensuring the rights and safety of Vietnamese workers when working in other countries, contributing to creating a fair and sustainable working environment for them.

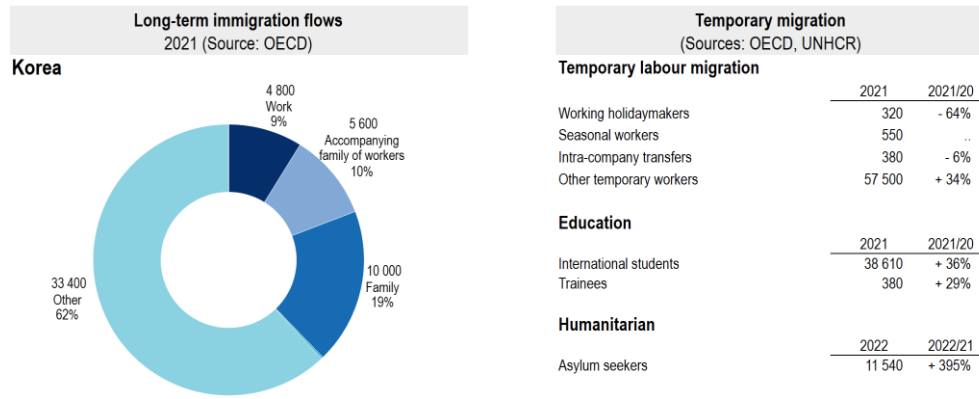
**Employment Permit System (EPS) Program:** The EPS program is established by the South Korean government to manage and administer work permits for foreign workers in South Korea. Its main goal is to provide employment opportunities for foreign workers in South Korea in industries and labor sectors with high demand while ensuring fair and safe working conditions for them. The EPS program applies an approval and licensing system based on the labor needs of businesses in South Korea. Foreign workers wishing to work in South Korea through EPS need to register and participate in the selection process, including competency assessments and technical requirements for each profession. EPS also provides support and care for foreign workers when they arrive in South Korea, including language and cultural training programs, assistance in finding accommodation and medical issues, as well as resolving issues arising during work. Additionally, EPS ensures that foreign workers receive fair wages and working conditions in compliance with South Korean laws. The program also has control and monitoring measures to ensure compliance by both workers and employers. It can be said that the EPS program is an important mechanism to create work opportunities for foreign workers in South Korea while ensuring fair and safe working conditions for them. This is a government program of South Korea, aiming to recruit foreign workers in industries such as manufacturing, construction, and agriculture. It is also one of the important legal bases supporting Vietnamese workers in South Korea.

**Labor Cooperation Agreement between the Ministry of Labor - Invalids and Social Affairs of Vietnam and the Ministry of Labor of South Korea:** This is an official agreement between the labor ministries of the two countries aimed at enhancing cooperation and exchanging information on employment and labor management between the two countries. This agreement is an important step in promoting labor cooperation between the two countries. The agreement is signed with the main goal of creating favorable conditions for Vietnamese workers to work in South Korea, while ensuring their rights and fair and safe working conditions. The specific content of this agreement includes provisions and specific measures to protect the rights of Vietnamese workers and enhance cooperation between the two sides. Specifically, the agreement may include provisions on the selection process, training, and licensing for Vietnamese workers, as well as addressing protection and support measures for them when they arrive and work in South Korea. In addition, the agreement may address control and monitoring measures to ensure compliance by both workers and employers, as well as dispute resolution and handling issues arising during work. In summary, the labor cooperation agreement between the Ministry of Labor - Invalids and Social Affairs of Vietnam and the Ministry of Labor of South Korea is an important mechanism to enhance cooperation and protect the rights of Vietnamese workers when they work in South Korea.

## ***4.2. Trends in labor migration of Vietnamese and Korean nationals***

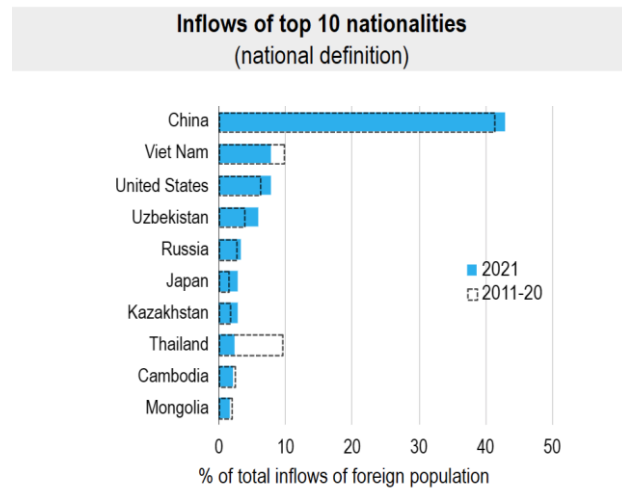
### ***4.2.1. Occupational structure of Vietnamese and Korean migrant workers.***

#### ***4.2.1.1. Vietnamese migrant workers in Korea***



**Figure 1** Temporal Evolution of the Composition of Foreign Migrant Workers in South Korea by Type (Source: OECD, 2023).

As shown in Figure 1, in 2021, the number of new immigrants to South Korea decreased by 6.1% compared to 2020, reaching 54,000 people. Among them, 8.8% were immigrant workers, 28.9% were family members (including accompanying family members), and 0.2% were humanitarian immigrants. Of these, about 39,000 permits were issued to international students at the university level and 59,000 to temporary and seasonal workers. Among them, Vietnam ranked second in terms of the proportion of immigrants to South Korea for labor purposes, following only China (see Figure 2). As of May 2023, the number of Vietnamese labor immigrants in South Korea exceeded 23,000, with 19,228 working in the manufacturing sector, 343 in construction, 1,283 in agriculture, and 2,558 in fishing (OECD, 2023).



**Figure 2** Ranking of the top 10 countries with the highest proportion of workers in South Korea (Source: OECD, 2023)

Based on data provided by the Ministry of Labor, Invalids, and Social Affairs of Vietnam, the demographic composition of Vietnamese labor migrants in South Korea exhibits distinct age group distributions, shaped by various contributing factors (OECD, 2023):

- 1) The age bracket spanning from 20 to 34 years old dominates, encompassing approximately 60-70% of the total Vietnamese workforce in South Korea. This demographic segment is characterized by robust health, dynamism, adaptability to novel work environments, and rapid learning capabilities.
- 2) Individuals aged between 35 and 49 represent about 25-30% of the workforce. This cohort typically boasts extensive work experience, advanced professional skills, and a level of maturity conducive to employment.
- 3) The age cohorts under 20 and over 50 constitute a relatively minor share, accounting for approximately 5-10%.

The composition of age groups among Vietnamese labor migrants in South Korea is heavily influenced by several pivotal factors, including the demand for labor in South Korea, Vietnam's policies on labor export, and the economic conditions and standards of living in South Korea.

- 1) Primarily, South Korea's demand for labor in sectors such as heavy industries, manufacturing, agriculture, and services accentuates the significance of the 20-49 age group. Individuals within this range typically exhibit robust health and high labor capacity, rendering them preferential candidates in the recruitment process.
- 2) Secondly, Vietnam's policies on labor export, particularly those outlined by governmental directives, incentivize young adults to pursue employment opportunities abroad, notably in South Korea. Consequently, this has bolstered the representation of youthful labor migrants within the Vietnamese workforce in South Korea.
- 3) Lastly, economic incentives and living standards in South Korea serve as significant determinants. The comparatively higher wages and job benefits in South Korea attract many Vietnamese workers, particularly those from economically disadvantaged backgrounds, seeking to enhance their income and living conditions for themselves and their families.

Nevertheless, future trends pertaining to the age composition of Vietnamese labor migrants in South Korea are subject to various influencing factors:

- 1) Changes in Vietnam's domestic population structure may emerge as a pivotal determinant. Presently, the declining proportion of young individuals within Vietnam's working-age demographic, juxtaposed with the increasing share of elderly citizens, may potentially reduce the influx of young labor migrants to South Korea in the future.
- 2) Additionally, shifts in South Korea's labor demands will exert considerable influence. As South Korea pivots towards advancing high-tech industries, the demand for skilled labor with advanced technical proficiency is anticipated to rise. Consequently, South Korea may increasingly seek Vietnamese workers with elevated qualifications, particularly in fields such as information technology, electronics, and other high-tech sectors.
- 3) Lastly, the formulation of governmental policies in Vietnam holds the potential to decisively shape the age composition of Vietnamese labor migrants in South Korea. Policy interventions aimed at either incentivizing or restricting labor exports could significantly impact the preferences and trends within the labor force in the foreseeable future.

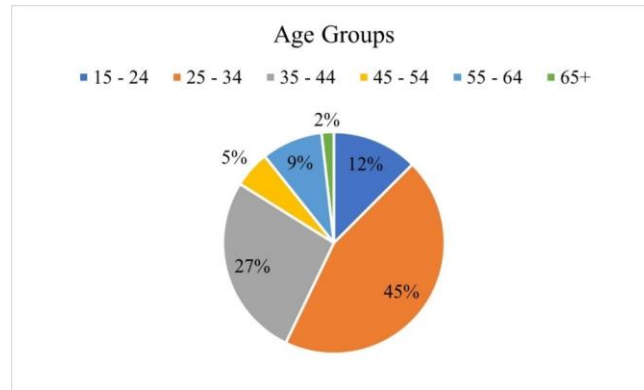
In conclusion, the age distribution of Vietnamese labor migrants in South Korea is poised for potential shifts driven by factors including demographic changes, shifts in labor demand, and governmental policies. This underscores the imperative for adaptive observation and policy responses from stakeholders and policymakers alike.

#### 4.2.1.2. Korean Expatriates in Vietnam: A Case Study of Ho Chi Minh City

In contrast, the emigration of Korean citizens to OECD countries experienced an 11% decline in 2021, amounting to 37,000 individuals. Among them, 33% migrated to the United States, 22% to Canada, and 8% to Germany (OECD, 2023). Specifically in Vietnam, recent data from the Ministry of Labor, Invalids, and Social Affairs of Vietnam, as of April 2024, indicates the presence of 27,347 Korean workers across various locations including Hanoi, Ho Chi Minh City, Dong Nai province, among others. This figure encompasses 3,766 Korean workers who have repatriated but not yet resumed employment. Occupationally, these workers include 12,911 specialists, 2,997 technical workers, 6,033 managers, and 5,406 executive directors.

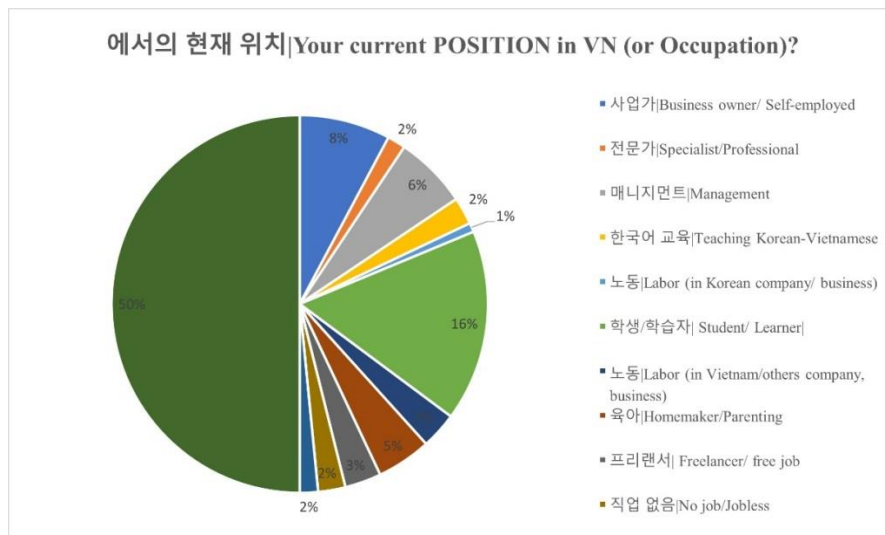
Ho Chi Minh City hosts 1,323 foreign-invested enterprises out of a national total of 2,995, constituting 44.1% of the country's total (Ministry of Labor, Invalids, and Social Affairs, 2022). Furthermore, there are 4,333 foreign workers officially licensed and employed in Vietnam (Ministry of Labor, Invalids, and Social Affairs, 2022). Among this cohort, individuals from East Asian nations such as China, South Korea, and Japan are prevalent.

A real-life survey conducted within the Korean community in Ho Chi Minh City, involving 136 participants (N=136), reveals a gender-balanced distribution with 54% male and 46% female respondents. Participants represent a broad age spectrum ranging from 15 to 65 years old, with the 25 to 34 age group exhibiting the highest level of participation, as illustrated in the subsequent chart (see Figure 3).



**Figure 3** Valid Percent of Age Groups (Soure: Primary data processed, November 2023 - January 2024)

Regarding the professional composition, the Korean population in the city predominantly involves itself in self-employment, constituting 50% of the demographic, especially within the age bracket of 25-34. Approximately 16% of individuals are enrolled in overseas studies or training programs within Vietnam. The third most prominent occupational group consists of managers and employees affiliated with South Korean enterprises, with the remaining populace dispersed among diverse sectors (see Figure 4).



**Figure 4** Valid Percent of Occupation (Soure: Primary data processed, November 2023 - January 2024)

### 4.3. Migration Policies and Management Measures for International Migrant Workers in Vietnam

#### 4.3.1. Supportive and Regulatory Framework

The regulatory framework governing labor migration includes the Labor Code of 2019 and Law No. 23/2023/QH15, which introduces amendments and supplements. The Labor Code of 2019 outlines regulations for overseeing foreign workers in Vietnam, encompassing aspects like wages, social insurance, and working conditions. Law No. 23/2023/QH15 focuses on modifying entry, residence, and work procedures for foreigners in Vietnam, along with provisions on work permits and residence durations.

Furthermore, Decree No. 70/2023/NĐ-CP provides guidance for implementing specific provisions of labor laws, particularly those concerning employment for foreign workers. This decree also elaborates on regulations pertaining to employment, wages, and insurance for foreign workers.



Management and Procedural Guidelines for Foreign Workers: The management and procedures related to foreign workers are governed by Circular No. 22/2019/TT-BLDTBXH, which delineates the requisite knowledge and skills upon completion of technical programs, along with directives for issuing work permits.

In practice, effective management of foreign workers necessitates meticulous attention from businesses to ensure comprehensive adherence to legal regulations, with particular emphasis on compliance with Decree No. 70/2023/NĐ-CP. Businesses are also obliged to furnish comprehensive reports on the utilization of foreign labor to labor management authorities. In the implementation of management measures, it is imperative to ascertain the work location, the authority responsible for issuing permits, and to enforce penalties for violations as deemed necessary.

#### *4.3.2. Policies for Regulating Free Migration*

Vietnam has established policies to regulate foreign migration, aiming to safeguard national security, uphold social order, and protect national interests. This policy framework encompasses a plethora of legal instruments, including laws, decrees, and circulars, addressing matters related to immigration, residency, employment, and education of foreigners in Vietnam.

Key legislation such as the Immigration, Emigration, Residency, and Nationality Law of 2020 and the Law on Foreigners in Vietnam of 2014 delineate the foundational principles and regulations governing the migration and residency of foreigners. These laws, in conjunction with the Labor Code of 2019 and the Education Law of 2019, provide the statutory framework for overseeing the employment and education of foreigners in Vietnam. Furthermore, the Investment Law of 2020 outlines conditions and regulations pertaining to foreign investment in Vietnam.

Decrees such as Decree 17-CP, 49-NĐCP, 64-NĐCP, and 108-NĐCP offer specific guidance on the implementation of provisions within laws concerning immigration and residency of foreigners. Circulars issued by ministries and agencies, such as Circular 01/2022/TT-BCA and Circular 25/2019/TT-LBTDHXH, serve to complement and furnish detailed instructions on procedures and specific conditions for granting permits and administering immigration, residency, employment, and education of foreigners.

Inter-ministerial regulations promulgated by agencies including the Ministry of Labor, Invalids, and Social Affairs; the Ministry of Education and Training; the Ministry of Foreign Affairs; and the Ministry of Public Security aim to bolster integration and ensure more stringent management of immigration and foreign labor. These policies not only safeguard national security but also foster Vietnam's economic growth and international collaboration. Nonetheless, policies undergo continuous refinement and adaptation to align with evolving trends in international cooperation, all while maintaining security and oversight by state management agencies over foreign labor participating in Vietnam's labor market.

## **5. CONCLUSIONS**

The agreements and labor accords forged between Vietnam and South Korea signify a significant advancement in the cooperative ties between the two nations, yielding manifold economic and social advantages for each party involved. Initiatives such as KOVECO, MDOLE, and EPS have established a robust groundwork for labor administration and advancement, concurrently fostering conducive environments for Vietnamese laborers seeking opportunities in South Korea. Furthermore, the labor cooperation agreement between Vietnam's Ministry of Labor, Invalids, and Social Affairs and South Korea's Ministry of Labor assumes a pivotal role in safeguarding labor rights and bolstering collaboration between the respective entities.

The migratory patterns observed among Vietnamese and South Korean labor cohorts mirror the adaptable realignment of labor markets and national policies. Notably, Vietnamese workers in South Korea predominantly gravitate towards the 20 to 34 age bracket, mirroring the demand for labor in heavy industries and manufacturing sectors within South Korea. Conversely, South Korean workers in Vietnam typically assume roles as specialists and managers, actively participating in self-employment ventures and affiliating with South Korean enterprises.

Policies and administrative measures governing migration in both Vietnam and South Korea have undergone refinement and enhancement to uphold equitable and secure working environments for laborers. Adherence to and enforcement of legal statutes stand as indispensable elements in managing foreign labor forces, concurrently necessitating vigilance towards shifts in demographic structures and labor requisites in both nations to institute adaptable and efficacious policies.

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