

Planning Industrial clusters in Hanoi city And Protecting the rights of laborers as children

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Abstract:

In our study, we mention that there are several issues to handle in industrial cluster development such as: The first issue is housing for workers. If there is a legal corridor, it is lease-purchase or purchase. The second is a cultural institution as a place for community activities, sports, culture and arts, etc. Vietnam overcame difficulties and brought new opportunities from the developing industrial clusters.

Next, according to UNICEF, A business activity may not affect adult rights, but benefit children's rights. Furthermore, businesses must consider the indirect positive and negative impacts caused through suppliers, customers and other business partners, as well as the direct influence of the business on children's rights. Our study findings show that we need to increase awareness of firms, good child protection practices and family-friendly policies in the workplace.

Keywords: using children labor, protection, rights, industrial clusters, Vietnam

JEL: M21, M10, N1

1. Introduction

Currently, the whole country has about 4.8 million workers working in industrial zones, of which more than 70% are renting in self-built houses. It is worth mentioning that most of the hostels people build for rent are temporary, small in area, do not guarantee the minimum utilities, and the rental price is unstable, making workers face many difficulties in life.

These cramped hostels also have many potential risks of unsafety in terms of fire prevention and fighting, insecurity in security and order, and the risk of COVID-19 epidemic as has broken out in some industrial zones in recent times. past time.

A recent survey showed that industrial zones and localities can only accommodate about 330,000 workers. The completion of trade union housing projects for workers to rent or buy at a cheap price will help workers have stable accommodation, peace of mind to work.

Next about using children labor, According to the UNICEF:

For many businesses, children are the priority stakeholder group. At the same time, children are also a vulnerable part of the population

Most importantly, special care is needed to ensure respect for children's human rights. "Guiding principles on business and human rights" provides a broad framework for businesses to enforce respect for human rights; at the same time calls on businesses to pay special attention to disadvantaged or vulnerable groups or segments of the population.

2. Research issues and previous studies

The scope of this study will cover:

What are issues of planning industrial clusters and using laborers there?

What are issues of protecting interests/rights of children as laborers and as vulnerable consumers?

Peters (2005) pointed in Missouri using cluster and discriminant function analyses, and their application to workforce development policy in Missouri is discussed. Labor complexes can be used to assist (a) job placement programs by identifying industries that are similar in labor but dissimilar in primary economic activity, (b) economic development by identifying existing pools of specialized labor for recruitment, and (c) development of customized training and education programs that meet industry demands.

DTN Huy, & DTN Hien (2010) stated we need risk management activities in transactions and this confirmed by (DTN Huy, 2015; TTH Ha et al, 2019; PM Dat et al, 2020).

Beside, Le, K., & Nguyen, M (2021) pointed that this could be an educational issue and it is good for human resources (Thi Hoa, N., Hang, N. T., Giang, N. T., & Huy, D. T. N, 2021; PN Tram, DTN Huy, 2021; D Thi Ngu, DT Huong, DTN Huy, PT Thanh, ES Dongul, 2021).

Then we summarize related studies as below:

Table 1- Related studies

Authors	Year	Content, results
Humphries	2003	Child labor was more prevalent on the 19 th centuries industrializers than it is in developing countries nowadays.
Vancauteran et al.	2011	Consumer protection is a burning issue in e-commerce throughout the globe.
Riggi & Maggioni	2004	employment flows play different role on local wages according to industrial characteristics (within services the main distinction arise between services to production and to persons); within manufacturing industries between labour intensive and capital in-tensive activities). A final section drawing some policy suggestion from the above analysis concludes the paper
Fayyaz et al	2017	A case study of the Sialkot football-manufacturing cluster in Pakistan indicates that donor-funded support of CSR initiatives in industrial clusters in developing countries may be short-lived, due to the political economy of aid, the national context of CSR implementation, tensions within SME networks, and negative perceptions of CSR by the cluster-based SMEs themselves. T
N Thi Hang, D Thi Tinh, DT Ngoc Huy, PT Hong Nhung	2021	Better skills needed to increase knowledge for laborers in industries
DT Tinh, NT Thuy, DT Ngoc Huy	2021	We need to enhance research skills for laborers in this 4.0 context
TTB Hang, DTH Nhung, DTN Huy, NM Hung, MD Pham.	2020	Discuss risk management issues in tourism -airlines -hotels groups

(source: author synthesis)

3. Methodology

In the study, Authors mainly use experience, observations and qualitative analysis with synthesis and inductive methods.

The study also use dialectical materialism method.

4. Main results

4.1- Planning industrial clusters and using laborers

Ha Thanh land is constantly busy with large investment projects. The dynamic development of the Northern economy led to the construction of a series of industrial parks in Hanoi. Up to now, Hanoi is a place to attract huge investment capital. Scaling up with 70 active industrial clusters. Contributing to raising the capital's level in economic growth. Ensure social security.

In the period of 2020, the whole city plans to have 119 industrial clusters. The period from 2021 to 2030 aims to synchronously invest in infrastructure. To strive to attract investment and expand 4 industrial clusters under construction. Establishing 18 new industrial clusters by 2030. In addition to the industrial zones that have been put into operation. The city will have 137 industrial clusters with a total area of more than 2000 hectares.

Investment in policy solutions is also valued with 100% budget support for environmental treatment in industrial zones. Policies related to capital mobilization are given priority for investment. By policies to encourage large enterprises. Industrial production is showing signs of growth recovery. Currently, the city is focusing on developing more new industrial clusters and zones. Implement solutions to maintain and promote industrial production. Especially the supporting industry. Increasing the localization rate of production, contributing to the growth of the entire industry in the area.

Figure 1- Industrial cluster Phu Nghia Hanoi



(source: internet)

In the year 2022, Hanoi will continue to organize the groundbreaking of technical infrastructure construction for 41 industrial clusters that have been decided to establish in the 2019-2020 period, and at the same time establish and expand 15 to 20 new industrial clusters.

Due to covid effect, According to reflections from businesses applying "3 at place", most of them are facing difficulties due to the increase in production costs, labor productivity and business efficiency. On the other hand, before Hanoi applied Directive 16, a number of businesses stopped operating and had to reduce their production scale, on average to only about 80% of the previous one. Therefore, it has greatly affected the production and supply of goods, ensuring social security, employment and income for workers.

Relating to workers: The first issue is housing for workers. If there is a legal corridor, it is lease-purchase or purchase. The second is a cultural institution as a place for community activities, sports, culture and arts, to meet the entertainment and spiritual life needs of workers after working days.

Along with that, these trade union institutional projects are also connected to the traffic system, markets, commercial centers, schools, medical stations to be able to meet the living needs of workers in industrial zones.

Next section we will discuss the issue of using laborers as children, also children can be vulnerable consumers in industrial and trade activities.

4.2 - Using laborers as children in companies and organizations

First of all, According to the Labor Code 1994 (amended and supplemented in 2002), child labor is an employee under the age of 15. The Labor Code stipulates that it is forbidden to accept children under the age of 15 to work in employers, except for a number of occupations and jobs prescribed by the Ministry of Labor, War Invalids and Social Affairs. For jobs that are accepted by children under 15 years old to work, learn or practice, the receipt and use must have the consent and supervision of their parents or guardians. Child workers under the age of 15 are entitled to reduced standard working hours; not have to work overtime or work at night, except for some professions and jobs prescribed by law; are arranged by the employer in jobs suitable for health, are cared for and cared for in terms of labor, salary, health, and learning during the working process.

Convention No. 138 of 1973 of the International Labor Organization (ILO) stipulates that the minimum age of employment shall not be less than the age for completion of compulsory education and in no case shall be less than 15 years; for countries where the economic and educational base is not yet developed, the age is 14. For light jobs, the child's working age can be 13 or 12.

Who are Workers

- According to the provisions of the Labor Code 2019, an employee is a person who is full 15 years of age or older, has the ability to work, works under a labor contract, is paid a salary and is under the management and administration of the employer. employer. Rights and obligations of employees in labor relations are prescribed in the Labor Code 2019.

As of January 1, 2017, the whole country has 22.9 million people working for organizations and individuals that employ workers. In which, working in enterprises accounted for 61%, working in cooperatives accounted for 01%, and working in individual business establishments accounted for 38%. Among employees working in enterprises, 8% work in state-owned enterprises, 26% work in FDI enterprises, and 66% work in private enterprises; By economic sector, 65% of workers are working in the construction industry, 19% in the service industry, and the rest in other manufacturing industries.

Next, we pay attention to children rights principles by UNICEF:

Children's rights and business principles

Developed through a process led by UNICEF, the United Nations Global Compact and Save the Children—along with businesses and other stakeholders – ‘Children’s Rights and Business Principles’ calls for enterprise:

1. Ensure responsibility to respect children's rights and commit to support children's human rights.
2. Contribute to the elimination of child labor, in all business activities and relationships.
3. Creating decent jobs for young workers, parents and caregivers.
4. Ensure the protection and safety of children in all activities and businesses.
5. Ensure the safety of products and services, and seek to support children's rights through products and services.
6. Use forms of marketing and advertising that respect and support children's rights.
7. Respect and support children's rights with respect to issues related to the environment, land acquisition and use.
8. Respect and support children in security arrangements.
9. Help protect children affected by emergency situations.
10. Strengthen community and government efforts to protect and realize children's rights

Children's rights and business principles from a child's rights perspective according to global standards of business and human rights are formulated by the Guiding Principles on business and human rights when implementing the Framework ‘Protect, Respect and Remedy’ of the United Nations. (For more information and to access the full ‘Guiding Principles’, see www.business-humanrights.org/UNGuidingPrinciplesPortal/Home).

Each principle outlines actions businesses can take to ensure corporate responsibility for respecting children's rights; as well as recommending actions to support children's rights in the workplace, in the marketplace and in the community.

Thereby, the Principles help businesses better understand their responsibilities to children in different contexts, including recruiting young workers, marketing practices, interacting with local communities and business operations in emergency situations.

This Convention establishes the foundations of children's rights and recognize the importance and interdependence of children's rights in civil, political, economic, social and cultural. The Convention also states that children's rights should be protected by the Government; and the Principles set forth frameworks that help businesses respect and support these rights

Figure 2- Protect children - vulnerable children



(source: internet)

5. Discussion and conclusion

In terms of active benefits, SMEs in a cluster can intentionally collaborate, particularly with the help of business associations (Nadvi 1999a). For example, cluster-based firms actively cooperate to jointly purchase raw materials, engage in collective export-oriented marketing, and find common solutions to financing or logistics challenges (UNIDO 2013).

According to UNICEF, when we develop economic activities for example in clusters, we need to pay attention some issues that related to children, such as:

Three key industries have been identified by UNICEF based on their critical role in Viet Nam's economic growth and potential impacts on children, including the apparel and footwear industry, and technology. information and communication (ICT) and the travel and tourism industry.

Textile and footwear industry

This industry provides stable employment opportunities for workers and is an important source of income to support their families and reduce poverty. However, at the same time, the industry also faces challenges in protecting key children's rights such as child care provision, breastfeeding promotion, maternity protection and child labor.

Information and communication technology (ICT) industry

The protection of children online is not always taken seriously by businesses in this industry due to their limited understanding of their own responsibilities in this regard. While improving Internet access and IT skills training has been an industry priority, interventions to promote a safer online environment for children are limited.

Tourism and travel industry

There are two main issues related to the protection of children's rights that need to be raised and resolved, that is, child prostitution, child trafficking and children participating in prostitution and the emerging reality of child prostitution. Visiting orphanages and schools can lead to neglect of children's rights.

Hence, UNICEF suggest:

Raise awareness

A series of campaigns and activities have been carried out to raise awareness of the private sector about good child protection practices and family-friendly policies in the workplace.

Build Capacity

UNICEF has been implementing a number of programs with the participation of businesses such as the program "Children's rights at work in footwear and garment factories" and skills training program. "Nobody is perfect" parenting to improve the health and well-being of children, parents and young workers. In addition, workshops and events have been organized to build capacity resources for businesses and key government officials on Children's Rights and Business Principles.

Figure 3 - Children rights protection



(source: internet)

Hence, Necessity to improve legal regulations to protect children as laborers and they are as vulnerable consumers.

Limitations of research

Authors need to make more detailed suggestions for relevant Law amendment.

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Conflicts of interest

There is no conflict of interest

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