

Shortcomings in Consumer Interest Protection and Recommendations for Protecting Laborers-Consumers in Industrial Zones

Nguyen Anh Thu¹; Dinh Tran Ngoc Huy^{2*}; Pham Thi Hong Nhung³; LLD. Nguyen Trong Diep^{4*}; Ly Thi Hue⁵

¹PhD, School of Law, Vietnam National University, Hanoi, Vietnam.
¹thuna@vnu.edu.vn

^{2*}MBA, Banking University HCMC Ho Chi Minh City, Vietnam.
International University of Japan, Japan.
^{2*} dtnhuy2010@gmail.com

³Master, Ho Chi Minh College of Economics, Vietnam.
³hongnhunghce2911@gmail.com

^{4*}School of Law, Vietnam National University, Hanoi
^{4*} dieptrongnguyenvnu@gmail.com

⁵PhD, National Academy of Public Administration, Vietnam.
⁵lythyhuenapa2021@gmail.com

Abstract

The goal of this paper is to figure out Shortcomings in Consumer Interest Protection and Recommendations for Protecting Laborers-Consumers in Industrial Zones. By using synthetical method, statistical method, legal analysis method, case study, comparative method, This paper pointed that enterprises need to harmoniously combine the interests of employees and employers to ensure the interests of both parties, and at the same time serve as a basis for ensuring stability and sustainability of this labor relationship. Moreover, we need to ensure safe competitiveness among enterprises to increase productivity of laborers and create more economic benefits (and stable) for laborers in industrial zones, industrial clusters (CCN).

Key-words: Suggestions, Consumer Protection, Analysis, Laborer in Industrial Zones.

1. Introduction

Our study note that the current Law also revealed:

Public service and utility works for employees working in industrial parks and economic zones are public works classified according to their utility according to the provisions of the law on

construction, including: educational, training and research works; medical works; sports, cultural and park works; commercial buildings; accommodation establishments; service works and other structural works built to directly serve employees working in industrial parks and economic zones.

Also, DECREE No: 35/2022/ND-CP dated May 28, 2022 on

REGULATIONS ON MANAGEMENT OF INDUSTRIAL PARKS AND ECONOMIC ZONES.

Article 2. Interpretation of terms.

In this Decree, the following terms are construed as follows:

1. An industrial park is an area with definite geographical boundaries, specialized in manufacturing industrial goods and providing services for industrial production.
2. Export processing zone means an industrial park specializing in the production of export goods and provision of services for export production and export activities; separated from the outside area according to the regulations applicable to the non-tariff zone specified in the law on export tax and import tax.
3. Supporting industrial park is an industrial park specializing in the production of supporting industry products and providing services for the production of supporting industry products; at least 60% of the total industrial land area of the industrial park is used to attract investment projects to produce supporting industry products in accordance with the law on development of supporting industries.
4. Specialized industrial park means an industrial park specializing in the production and provision of services for the production of products in a particular industry or trade; at least 60% of the industrial land area of the industrial park is used to attract investment projects in this industry.
5. Eco-industrial park is an industrial park in which enterprises in the industrial park participate in cleaner production activities and use resources efficiently, and have linkages and cooperation in production to realize present industrial symbiosis; meet the criteria specified in this Decree.
6. High-tech industrial park is an industrial park that attracts high-tech and information technology investment projects on the list of industries and trades with special investment incentives in accordance with the law on investment and projects. Projects involving technology transfer on the list of technologies encouraged for transfer in accordance with the law on technology transfer, technology incubators, science and technology business incubators as prescribed by law. law on high technology, law on science and technology, investment projects on creative start-ups, innovation, research and development, education and training; at least 30% of the industrial land area of the industrial park is used to attract these investment projects.

7. Industrial symbiosis is a cooperative activity between enterprises in an industrial park or in different industrial parks to optimize the use or reuse of inputs and outputs such as raw materials, materials, water, energy, waste, scrap and other factors in the process of production and business.

Figure 1 - Big Industrial Zones in Hanoi



(Source: internet)

Then We see related studies in below table:

Table 1 - Related Studies Summary

Authors	Year	Content, results
Anner	2020	As the COVID-19 virus continues to spread worldwide, workers in global supply chains (GSCs) are among those affected most by the pandemic. Lockdown measures intended to slow international infection rates as well as declining consumer demand have further worsened production workers' already devastating labor conditions, especially in developing countries, and particularly in buyer-driven, labor-intensive sectors such as garments, toys, and electronics
Cierra & Lakshman	2017	There have been widespread concerns about labour rights in SEZs, particularly in the Global South, including both employment conditions (such as wages, terms of employment, health, and safety) and labour relations (freedom of association, unionization, and the right to go on strike). ³ Wages may be higher in SEZs than in the rest of the country, partly due to the nature of the firms operating in the zones, and compressions of rights often reflect wider national problems rather than a SEZ-specific issue
Dahan et al	2021	Presents a novel normative model of shared responsibility for remedying unjust labor conditions and protecting workers' rights in global supply chains. While existing literature on labor governance in the globalized economy tends to focus on empirical and conceptual investigations, the article contributes to the emerging scholarship by proposing moral justifications for labor governance schemes that go beyond voluntary private regulations and include public enforcement mechanisms. Drawing on normative theories of justice and on empirical-legal research, our Labor Model of

		Shared Responsibility introduces three main claims: First, that responsibility for protecting and promoting labor standards in global supply chains should be shared by all private and institutional actors involved (whether directly or indirectly) in the production and distribution processes. Second, we offer a normative model for allocating responsibility among the various actors, based on five principles: connectedness, contribution, benefit, capacity, and power.
Cotula et al	2021	Special economic zones (SEZs) have spread rapidly over the past 20 years, including in many low- and middle-income countries keen to attract private investment for industrial development. But while much debate has focused on their economic performance and success factors and on links with the wider architecture of international economic law, there are enduring concerns over respect for labour rights in SEZs. These concerns are partly rooted in features of the legal regimes that underpin SEZs, such as arrangements that qualify the application of ordinary labour law, or ineffective systems to ensure compliance. This article discusses the law governing labour rights in SEZs, drawing on the case studies of Bangladesh, Ethiopia, and Kenya—three countries reflecting different generations of SEZ legislation, types of SEZs, and regulatory approaches.

(Source: author synthesis)

Beside, Nguyen Dinh Trung, Dinh Tran Ngoc Huy, Ta Van Thanh (2022) stated According to the concept of Vietnam: "Industrial cluster" (CCN) is an area of concentration of centers of enterprises, industrial - handicraft export services for industrial production - handicrafts; have definite geographical boundaries fixed, not inhabited; invested and built mainly to move, about to arrange and attract production, SMEs, individuals and households locally to invest in production and business.

2. Method

Thus study uses synthetical method, statistical method, legal analysis method, case study, comparative method, etc., are used to clarify issues relating to consumer protection regulations, and authors have observed with experiences and implementation of protecting laborers in industrial zones in Vietnam to learn experiences and lessons.

3. Discussion

3.1. Shortcomings in Consumer Interest Protection

Firstly, shortcomings in working environment and conditions such as salary, low income, poor meal, etc.

According to statistics, in the first 6 months of 2022, the number of collective work stoppages increased by 19 times compared to the same period in 2021. Among the collective work stoppages, the most typical is the case of hundreds of workers at a shoe factory of Nice Power Co., Ltd., which is located in Nam Dinh province, went on strike by gathering in the internal aisles of the factory to make recommendations to the employer on shift working time and mechanism, contract compensation upon termination of employment.

It is known that in Da Nang city, one of the reasons leading to job stoppage is because the employees see that the production and business enterprises are profitable but do not implement the policies committed to the employees for the reason. Effects of the Covid-19 pandemic. In Ho Chi Minh City, according to President of the Ho Chi Minh City Confederation of Labor, Tran Thi Dieu Thuy, collective work stoppages are caused by workers' wages, bonuses and some contents of the labor agreement. Collective action is not implemented or maintained.

In addition to the above reasons, conflicts are also caused by employers not making public and transparent policies of employees and information of enterprises; salary, wages, low income, unsafe working conditions, occupational hygiene, poor quality of shift meals...

(Source: hanoimoi.com.vn)

Secondly, infrastructures of industrial zones/clusters (CCN) still need improved to provide full services for laborers.

Rural infrastructure has broader goals and contents than industrial infrastructure. It includes the construction of transport works, power supply systems, telecommunications, irrigation, environmental treatment and issues: training, education, health, culture in rural areas to build and new rural development. On the other hand, industrial infrastructure has higher and more modern requirements than rural infrastructure in general, for example, roads must be wider to transport goods and materials.

The infrastructure of the craft village is similar to the industrial infrastructure. In general, CCN's production and business establishments often have a higher level of production concentration, technical level, and management level than production and business establishments in craft villages that have not yet established CCNs. The infrastructure of the industrial zone has the following requirements: more balanced, synchronous and modern than the craft village's infrastructure.

Infrastructure has an important role to maintain and develop CCN, they are demonstrated through the following aspects:

- Infrastructure determines the growth and rapid development of manufacturing industries, production-business and service sectors in the industrial zone. This is because the infrastructure will provide services, inputs and outputs, ensuring that the production process proceeds on a

regular and continuous basis with an ever-expanding scale. This is a fundamental factor for CCN to have the opportunity to develop in the integration process.

3.2. Protection of Laborers and Consumers in Industrial Zones

According to DECISION Number: 5718/QD-UBND dated December 29, 2020 of PEOPLE'S COMMITTEE - HANOI CITY.

On ISSUES THE PLAN TO PROMOTE THE IMPLEMENTATION OF CONSUMER RIGHTS PROTECTION ACTIVITIES IN HANOI CITY FOR THE PERIOD OF 2021-2025.

Organize Vietnam Consumer Rights Day

- Promulgating a plan to implement activities to respond to Vietnam's Consumer Rights Day (March 15 every year) according to the Prime Minister's Decision No. 1035/QD-TTg dated July 10, 2015 on Vietnamese consumer rights and thematically launched annually by the Ministry of Industry and Trade.
- Encourage and support businesses to carry out trade promotion activities on the occasion of March 15 every year, in order to raise awareness of consumers' rights and promote production and business activities of enterprises. Karma.

Implement Business Program for Consumers

- Guide and create conditions to encourage businesses to improve their responsibilities towards consumers through activities such as putting policies and legal provisions on consumer protection into the strategy, production and business plan of the enterprise; develop and apply processes and standards on consumer complaint settlement and organize a full-time or part-time department to provide advice and support to receive and resolve consumer complaints; actively carry out promotional activities, promotion, consulting on the purchase and use of goods and services for consumers; develop and distribute documents guiding the implementation of the Program's contents and other publications and leaflets on consumer protection in accordance with the enterprise's policies.
- Organize consumer gratitude activities in accordance with the provisions of the law through activities such as goods fair for consumers, product week for consumers.

Strengthening Inspection, Examination, Supervision, Handling of Violations and Supporting Consumers

- Strengthen inspection, supervision and assessment of goods and service quality; develop a mechanism for coordination of activities; strictly handle cases of violation of consumer rights protection, especially in the fields of food safety, health, standards, measurement, quality, consumer products, goods and services; Strengthen coordination and information exchange between state management agencies to detect and promptly handle violations of consumer rights.
- Strengthening facilities, means and equipment to inspect and evaluate the quality of goods and services for state management agencies in charge of protecting consumers' interests. Enterprises actively invest in goods quality control systems to ensure standards for circulation in the market.

Moreover, Building Social Infrastructure in Industrial Clusters (CCN)

The activities of CCNs create a great demand for social facilities such as health (medical station), culture (culture house, club...), education (school, training institution)., physical training, sports, commerce (markets, shops, banks), public services (post offices, libraries, etc.), trees, lakes, etc., to ensure employees feel secure working at the facilities business establishments and have conditions for physical and intellectual development to meet the immediate and long-term needs of production and business establishments.

4. Recommendations and Conclusion

In the process of management and production and business, enterprises need to harmoniously combine the interests of employees and employers to ensure the interests of both parties, and at the same time serve as a basis for ensuring stability and sustainability of this labor relationship. Thus, in the process of implementing commitments and labor regulations, enterprises also need to pay attention to the interests of individuals, while ensuring the interests of the collective and of enterprises as well as of society.. These economic benefits are always organically linked together, in which the economic interests of individuals are considered as the direct and decisive driving force for the production of productivity and products of enterprises.

Figure 2 – Protecting Quality of Goods for Laborers



(Source: internet)

- Regarding incentives to support environmental protection activities (Decree No. 04/2009/ND-CP dated January 14, 2009): The project to build an infrastructure system for environmental protection in forestry zones and industrial zones under the The list of environmental protection activities entitled to a 50% reduction in land use levy and land rent and late payment of land use levy and land rent; be given priority in post-investment interest rate support of the Vietnam Development Bank in accordance with current regulations, or be given priority in borrowing and considered for post-investment interest rate support or investment credit guarantee in accordance with the Fund's charter. Environmental protection in Vietnam; secured the source of preferential credit loans by mortgaging assets formed from loans.

Acknowledgement

Thank you editors, friends to assist this publishing.

Conflicts of Interest

There is no conflict of interest.

References

Anner, M. (2020). Abandoned? The impact of Covid-19 on workers and businesses at the bottom of global garment supply chains. *Center for Global Workers' Rights*.

Cotula, L et al. (2021). Labour Rights in Special Economic Zones: Between Unilateralism and Transnational Law Diffusion, *Journal of International Economic Law*, 24(2).

Do Thu Huong, Dinh Tran Ngoc Huy, Nguyen Thi Hang, Pham Thi Huyen Trang, Duong Thi Ngu. (2021). Discussion on Case Teaching Method in a Risk Management Case Study with Econometric Model at Vietnam Listed Banks – Issues of Economic Education for Students, *Review of International Geographical Education*, 11(5).

Dat, P.M., Mau, N.D., Loan, B.T.T., & Huy, D.T.N. (2020). Comparative China Corporate Governance Standards after Financial Crisis, Corporate Scandals and Manipulation, *Journal of Security and Sustainability Issues*, 9(3). DOI: 10.9770/jssi.2020.9.3(18).

Dahn, Y et al. (2020). Shared Responsibility and Labor Rights in Global Supply Chains, *Journal of Business Ethics* (2021).

DTN Huy. (2015). the Critical Analysis of Limited South Asian Corporate Governance Standards after Financial Crisis, *International Journal for Quality Research* 9(4).

DT Tinh, NT Thuy, DT Ngoc Huy. (2021). Doing Business Research and Teaching Methodology for Undergraduate, Postgraduate and Doctoral Students-Case in Various Markets Including Vietnam, *Elementary education Online* 20(1).

DTN Huy, TH Le, NT Hang, S Gwoździewicz, ND Trung, P Van Tuan. (2021). Further Researches and Discussion on Machine Learning Meanings-And Methods of Classifying and Recognizing Users Gender on Internet, *Advances in Mechanics* 9(3), 1190-1204.

DTN Huy, BTT Loan, TA Pham. (2020). Impact of selected factors on stock price: a case study of Vietcombank in Vietnam, *Entrepreneurship and Sustainability Issues* 7(4).

DTN Huy, VK Nhan, NTN Bich, NTP Hong, NT Chung, PQ Huy. (2021). Impacts of Internal and External Macroeconomic Factors on Firm Stock Price in an Expansion Econometric model—A Case in Vietnam Real Estate Industry, *Data Science for Financial Econometrics*, 189-205.

DTN Huy, PN Van, NTT Ha. (2021). Education and computer skill enhancing for Vietnam laborers under industry 4.0 and evfta agreement, *Elementary Education Online* 20(4).

Gillespie, John. "Vietnam's land law reforms: radical changes or minor tinkering?" East Asia Forum 14 May 2013, Web. 30 Oct. 2013.

Gillespie, John. "Vietnam: will property rights solve land disputes?" East Asia Forum 22 May 2012, Web. 30 Oct. 2013. < <http://www.eastasiaforum.org/2012/05/22/vietnam-will-property-rights-solve-landdisputes/>>.

Huy, D.T.N., & Hien, D.T.N. (2010). The backbone of European corporate governance standards after financial crisis, corporate scandals and manipulation, *Economic and Business Review*, 12(4).

HOANG, N.T. et al. (2021). Determining factors for educating students for choosing to work for foreign units: Absence of self-efficacy, *Journal for teachers, educators and trainers*, 2021, 12 (2), p. 11-19. Available at: <https://jett.labosfor.com/index.php/jett/article/view/531> . Access: July 28, 2021.

Hang, T.T.B., Nhung, D.T.H., Nhung, D.H., Huy, D.T.N., Hung, N.M., & Dat, P.M. (2020). Where Beta is Going - Case of Vietnam Hotel, Airlines and Tourism Company Groups after the Low Inflation Period, *Entrepreneurship and Sustainability Issues*, 7(3). [http://doi.org/10.9770/jesi.2020.7.3\(55\)](http://doi.org/10.9770/jesi.2020.7.3(55)).

Hossain, J. (2019). *Factors Influencing FDI Inflows in SouthAsian Countries: A Panel Data Analysis*, Master's in Economics of Innovation and Growth KTH Royal Institute of Technology.

Hang, T.T.B., Nhung, D.T.H., Nhung, D.H., Huy, D.T.N., Hung, N.M. Dat, P.M. (2020). Where Beta is going – case of Viet Nam hotel, airlines and tourism company groups after the low inflation period. *Entrepreneurship and Sustainability Issues*, 7(3), 2282-2298. [http://doi.org/10.9770/jesi.2020.7.3\(55\)](http://doi.org/10.9770/jesi.2020.7.3(55))

Hang, N.T., Tinh, D.T., Huy, D.T.N., & Nhung, P.T.H. (2021). Educating and training labor force Under Covid 19; Impacts to Meet Market Demand in Vietnam during Globalization and Integration Era, *Journal for Educators, Teachers and Trainers*, 12(1): 179-184. DOI: 10.47750/jett.2021.12.01.023

Hai, N.T et al. (2021). Educational Perspectives on Differences between Management Case Study and Economic & Finance Case Study Teaching In Universities, *Design engineering*, Issue 7.

Huong, L.T.T., Huong, D.T., Huy, D.T.N., & Thuy, N.T. (2021). Education for students to enhance research skills and meet demand from workplace-case in vietnam, *Elementary education online*, 20(4).

Hansen, Kaitlin. (2013). "Land Law, Land Rights, and Land Reform in Vietnam: A Deeper Look into "Land Grabbing" for Public and Private Development". *Independent Study Project (ISP) Collection*. 1722.

Hoa, N.T et al. (2021). Analysis of Case Teaching Method In Universities - An Economic Case Study in Pyrolysis Project, *Design engineering*, Issue 7.

LAN HUONG, Nguyen. Land Law and the Security of Farmers' Land-use Rights in Viet Nam: Development and Challenges in Transition. *VNU Journal of Science: Legal Studies, [S.l.]*, v. 38, n. 1, mar. 2022. ISSN 2588-1167.

N ThiHoa, NT Hang, NT Giang, DTN Huy. (2021). Human resource for schools of politics and international relations during globalization and EVFTA, *Elementary Education Online* 20(4).

Nga, N., Tuan, P., Huy, D., and Huong, D. (2021). Relationship between Competitor-based Marketing Mix Strategies and Production Activities in Manufacturing and Renewable Energy Companies, *Advances in Mechanics*, 9(3), 1367-1378.

Nguyen Dinh Trung et al. (2022). Practical Analysis of Building Industrial Clusters Infrastructure in Hanoi Vietnam, *Science, Education and Innovations in the context of modern problems*. 5(3).

Report on review of the implementation of the Land Law and recommendations on revisions of the Land Law of Ninh Binh; Bac Giang; Lao Cai; Ha Giang provinces, and Huong Hoa district (Quang Binh province); Hai Duong city (Hai Duong province); Dong Ha city (Quang Tri province).

Pham Minh Hoa (2019), Land financing policies to attract FDI for general economic zones, *Finance Journal* Volume 704/2019.

NT Hang, DTN Huy, DT Tinh, DT Huyen. (2021). Educating Students in History and Geography Subjects through Visiting Historical Sites to Develop Local Economy and Community Tourism Services in Thai Nguyen and Ha Giang, *Revista geintec-gestao Inovacao E Tecnologias* 11(3), 1-12.

NT Hoa, DTN Huy, T Van Trung. (2021). Implementation of students scientific research policy at universal education institutions in Vietnam in today situation and solutions, *Review of International Geographical Education Online* 11(10), 73-80.

Nguyen Dinh Trung, Le Huong Hoa, Bui Thi Thu, Dinh Tran Ngoc Huy, Le Ngoc Nuong (2021). Using English to Teach Students with Social Sciences Major - Via A Case of Some Vietnam Newspapers with The Uk, Italian and French Approaches and Regulations on Publishing Fake News And Internet Crime, *Journal of Language and Linguistic Studies*, 17(3), 1711-1725

NT Hai, DTN Huy, NT Hoa, TD Thang. (2021). Educational Perspectives on Differences between Management Case Study and Economic & Finance Case Study Teaching in Universities, *Design Engineering*, 12022-12034.

ND Trung, DTN Huy, TH Le, DT Huong, NT Hoa. (2021). ICT, AI, IOTs and technology applications in education-A case with accelerometer and internet learner gender prediction, *Advances in Mechanics* 9 (3), 1288-1296.

PTH Trang, DTN Huy, NT Hoa, DT Huong, DT Ngu. (2021). Analysis of VI Lenin and Ho Chi Minh Views on the Youth Education Process, *Review of International Geographical Education Online* 11 (5), 4552-4559.

PN Tram, DT Ngoc Huy. (2021). Educational, Political and Socio-Economic Development of Vietnam Based on Ho Chi Minh's Ideology, *Elementary Education Online* 20 (1).

TTH Ha, NB Khoa, DTN Huy, VK Nhan, DH Nhung, PT Anh, PK Duy. (2019). Modern corporate governance standards and role of auditing-cases in some Western european countries after financial crisis, corporate scandals and manipulation, *International Journal of Entrepreneurship* 23 (1S).

Thi Hoa, N., Hang, N. T., Giang, N. T., & Huy, D. T. N. (2021). Human resource for schools of politics and for international relation during globalization and EVFTA. *Elementary education Online*, 20(4).

TTB Hang, DTH Nhung, DTN Huy, NM Hung, MD Pham. (2020). Where Beta is going—case of Viet Nam hotel, airlines and tourism company groups after the low inflation period, *Entrepreneurship and Sustainability Issues* 7 (3).

UNESCO (2009). Student affairs and services in higher education: global foundations, issues and best practices. Paris: UNESCO.

Phuong, N., Huy, D., and Tuan, D. (2020). The Evaluation of Impacts of a Seven Factor Model on NVB Stock Price in Commercial Banking Industry in Vietnam - And Roles of Disclosure of Accounting Policy in Risk Management, *International Journal of Entrepreneurship*, 24 (1).

TDT Vu, DTN Huy, NTH Trang, NN Thach. (2021). Human Education and Educational Issues for Society and Economy-Case in Emerging Markets Including Vietnam, *Elementary Education Online*, 20 (2)

V Van Chung, DTN Huy, DT Ngu. (2021). Eastern Philosophical Theories and MarxismLenin Philosophies in Viet Nam Society and Education, *Review of International Geographical Education Online* 11(8), 1586-1591.

Vu Quynh Nam, Dinh Tran Ngoc Huy, Nguyen Thu Thuy, Nguyen Thi Hang, Nguyen Thi Hoa. (2021). Historical Sites and Architectures in Thai Nguyen City and Ha Giang Province in Vietnam - Sources for Tourism Development, *International Journal of Contemporary Architecture-The New Arch*, 8(2).

Van Tuan, P., Huy, D. T. N., & Duy, P. K. (2021). Impacts of Competitor Selection Strategy on Firm Risk-Case in Vietnam Investment and Finance Industry. *Revista Geintec-Gestao Inovacao E Tecnologias*, 11(3), 127-135.

Xavier Cirera and Rajith W.D. Lakshman. (2017). 'The Impact of Export Processing Zones on Employment, Wages and Labour Conditions in Developing Countries: Systematic Review', 9(3) *Journal of Development Effectiveness* 344 (2017), at 355.