



VIETNAM CHAMBER OF COMMERCE AND INDUSTRY

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H.E. Hilda L. Solis
Secretary of Labor
U.S. Department of Labor
200 Constitution Ave., NW
Washington, DC 20210

Hanoi, November 20, 2012

Ref: Opposition to the inclusion of Brick and Garment from Viet Nam in DOL's 2012 Lists of Goods produced by Child Labor and Forced Labor under the Trafficking Victims Protection Reauthorization Act and Executive Order 13126.

Dear Madam Secretary,

The U.S. Department of Labor (DOL) has recently held a press conference to release *the List of Goods Produced by Child or Forced Labor* to which Vietnam's bricks and garments were included.

The Vietnam Chamber of Commerce and Industry (VCCI) is extremely concerned about the negative consequences of this action on a large number of Vietnamese enterprises and workers. Addition of the two products, especially garments, which is among the highest value exports of Vietnam, though not associated with any punitive legal consequences or mandatory trade restrictions, will definitely have an adverse impact on the product sales in the United States and over the world. This can lead to serious consequences on production and lives of millions of workers who are directly or indirectly involved in production of garment, building materials and related industries of Vietnam.

Fighting against illegal forms of forced labor or child exploitation poses as a top humanity concern, not only to the world or the United States. In fact, protection of children's rights and human values at work is one of the key objectives of Vietnam's efforts for poverty reduction and sustainable development in the past years. Early achievements of these efforts of Vietnam are promising and highly appreciated by the United Nations and the international organizations working in Vietnam.

Being a member of the International Labour Organization (ILO) since 1980, Vietnam has ratified 18 ILO Conventions, including the Worst Forms of Child Labour Convention, the Minimum Age Convention and the Forced Labour Convention. ILO periodic audits have proved good compliance of Vietnam with the Conventions.

Within the national legal framework and under close supervision of not only Vietnam's government but also international partners and customers, including those from the United States, the working conditions in the garment and brick sectors, especially in export-processing companies, have been improved to a level that meets the national law requirements as well as the much higher standards imposed by the partners.


The incidence of law violations relating to child labor or forced labor in garments and bricks production is unwanted; occurred on an ad hoc and scattered basis in the small scale and household businesses and do not represent the overall context in Vietnam. Vietnam has a radical approach to abolition of such cases, taking every possible measure to prevent, detect, punish and fight them to an end. It is the same approach that the U.S. administration takes on serious child labor and forced labor violations which are occurring in the United States, especially in the farming and retailing industries.

With that context in mind, we believe that inclusion of to the DOL's *List of Goods Produced by Child or Forced Labor* does not depict the actual situation in these two sectors in Vietnam.

On behalf of Vietnamese business community, VCCI strongly request that U.S. Department of Labor should remove Vietnam's bricks and garments from the above-mentioned List.

We also expect that none of the two goods in particular or Vietnam export products in general will in the future be subject to similar unreasonable and impractical assessments. It is very important to Vietnam in the process of international integration and poverty reduction for the achievement of the Millennium Goals and better life for Vietnamese workers.

Please accept, Madam, the assurances of our highest consideration.
Best regards,



Vu Tien Loc
President and Chairman

CC:

- The U.S. State Department
- United States Department of Homeland Security
- Mr. Tom Harkin, United States Senator, Chairman, United States Senate Committee on Health, Education, Labor, and Pensions
- Ms. Gayle Smith, Special Assistant to the President and Senior Director, National Security Council
- Mr. Ian Solomon, United States Executive Director, International Bank for Reconstruction and Development
- Ms. Barbara Weisel, Assistant U.S. Trade Representative for Southeast Asia and the Pacific
- H.E. David Shear, U.S. Ambassador to Viet Nam
- Mr. Ron Kirk, Trade Counselor, U.S. Embassy in Viet Nam
- The U.S. Chamber of Commerce