

# The Vietnamese Labour on the Border of China and Vietnam

## —The Situation Investigation of Vietnamese Labour Entry Work through Maguan County, of Yunnan Province

Hongbo Ma and Fei Wang

Honghe University, Yunnan, China

lawyermfmxxy@gmail.com

wangfeiydj@hotmail.com

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**Abstract:** This paper uses Maguan County, which is located at the border of China and Vietnam in Yunnan province as the case to do the research about the local people work oversea and Vietnam illegal labour entry to China. It will analyze the characters, reasons and effect of this situation, try to give some suggestions for the issues of illegal labour.

### THE SITUATION OF VIETNAMESE ILLEGAL LABOUR ENTRY WORK THROUGH MAGUAN COUNTRY OF YUNNAN PROVINCE

**The Brief Introduction of Maguan County in Yunnan Province and the Border of China and Vietnam .** Maguan County located in the southeast of Yunnan province in China; it is a small city which most of the residences are ethnic group named Zhuang and Miao. Maguan County is next to five cities of Vietnam which are Lao Cai, Muong Khuong, Si Ma Cai, Xin Man and Hoang Su Phi city, the length of China-Vietnam border in China is 138km (The land borders includes 87km and water borders includes 51km). There are 3 border towns (Du Long, Xiao Ba Zi and Jin Chan town) including 10 village committees, 53 village groups next to Vietnam, 11696 persons compose of 2751 families. There are 4 village committees, 21 village groups next to Vietnam, 3732 persons compose of 908 families in Du Long town; there are 3 village committees, 14 village groups next to Vietnam, 3391 persons compose of 760 families in Xiao Ba Zi town; there are 3 village committees, 18 village groups next to Vietnam, 4574 persons compose of 1083 families in Jin Chan town. These 3 towns have 7 ethnic groups living including: Zhuang, Miao and Han. Most of the inhabitants are Zhuang and Miao minority. People live by planting and breeding industry, the average personal income in 2012 is 3878 RMB per year, which belongs to one of the economic less develop areas in China.

Table 1 The situation of Maguan City (until December 2012)

Town	village committee	The village group	Population of residents	Population inhabitants of a border area
Du Long	4	21	908	3732
Xiao Ba Zi	3	14	760	3391
Jin Chan	3	18	1083	4574

There are 86 boundary monuments in Maguan City, which starts from the No.168 in the west, to the No.224 in the east. Xiao Ba Zi town includes the No.168 to the No.171; Jin Chan town includes the No.172 to No.193; Du Long town includes the No.194 to No.224. In the border area, there are 5 passageways located in Xiao Ba Zi town (No.171), Jin Chan town (No.188), Du Long town (No.197), and Bao Liang Street (No.221 and No.224). From all the passageways built, 3 frontier trade markets

are named Mao Ping street market, Mao Ping Guo Men market and Bao Liang street market.

**The Introduction of Young Migrant Workers in the Border of Maguan City.** Because of the big gap between city and village, east and west in mainland China, many young people who live in villages go out to work in order to get rid of poverty, Maguan country is as well. Until June of 2013, there were 5298 young workers who came from 3 towns of Maguan country and went to work outside there, this includes 405 people were from Du Long town, 3640 people were from Xiao Ba Zi town and 1253 people were from Jin Chan town. Within the young workers, 3420 people were male, which hold 64.56% and 1878 people were female, which hold 35.44%. There were 68 people which never received any educations which hold 1.28%, there were 2231 people with primary education backgrounds which hold 42.11%, there were 2320 people with middle school education backgrounds which represents 38.8%, there were 626 people with a high school education background which represents 11.82% and 53 people had received higher education background which represents 1%. There were 2831 migrant workers whose age were between 16 to 30 years old which represents 53.43%, there were 1931 migrant workers whose age were between 30 to 45 years old which hold 36.45%, there were 536 migrant workers whose age were over 45 years old which hold 10.12%, and most of them are the main local labourers.

It made a big influence for the local economic development because the many young labourers from Maguan moved to inland and coastal cities to work. The main situation is below:

1. Many labourers move inland because the historical and natural factors, the economic development in Maguan city is much less-developed on a national level, the infrastructure have not been built yet and people do not have enough transportation to go anywhere; which makes local people very inconvenient. At the same time, local people want to improve their income so many of them choose to work outside. Until now, migrant workers in Maguan City includes 21.5% of the local population, some villages are even up to 39% to 50%. So the main residents here are old people, women and children, and some migrant workers moved their families to other cities which caused the lack of local labour especially during cultivation busy seasons.

2. "left-behind children" problems in villages become more serious. After young labourers work outside of Maguan City, most of these villages were only occupied with old people and children, especially children left behind. Until now, there are 1817 children left behind in different villages of Maguan, 739 are in Xiao Ba Zi town, 1020 are in Jin Chan town and 58 are in Du Long town. These children's parents work outside long-term which make negative effects on their children. Firstly, most of these children do not have good lives and now have more pressures; secondly, most of them lack close relationships with families, communication or more care, resulting with some of them having a psychological disorder; thirdly, they lack an educational environment; fourthly, these children do not get enough protection which leads to a lack of moral behavior; fifthly, occurring more frequently, some accidents are happening to these children.

3. Military problems. First, many young labourers working outside missed military services, which caused the problem of military recruitment. Second, the militia reserve liquidity is bigger, which makes the daily training difficult to continue and militia border defense force has become increasingly weak. Third, the problems of old people in these villages since 2008 due to, natural disasters, poverty alleviation and development, resettlement, government planning, road building and other reasons, parted the border inhabits to move inland. Even some villages moved inland as a whole, which became no-man's land. Fourth, there are many security problems around the border but they do not have enough people organized to protect.

**The Situation of Vietnamese Illegal Labour in the Border.** Vietnamese illegal labour work in Maguan country have lasted for a long time, the number of illegal labourers even is increasing year by year. Since 2010, the number of Vietnamese illegal labourers working in the border of Maguan Country was about 1500 per year, but only few of them were checked by Chinese government. Until June of 2013, Chinese polices inspected 7 cases of the Vietnamese illegal issues, totally 109 people involved, male including 76 people, holding 70%; female including 33 people, holding 30%. There

were 48 people younger than 20 years old, holding 44%, there were 50 people are age between 20 to 40 years old, holding 46%; there were 11 people are over 40 years old, holding 10%. According to this survey, the number only holds 2% of the total Vietnamese illegal labour, and most of them are young people.

Vietnamese border residents entering into China usually work in ore-dressing plants, farm or with farmers' families to work on very simple physical work. The salary is about 30 to 60 RMB per day. Most of them are temporary labourers; only few of them can be hired as long-term workers. The working area is around the border between Vietnam and China, so many of them can travel back and forth every day but there are only few of them can work downtown. Normally, there are a great number of labourers recruited during spring and autumn which are busy seasons for planting, so working time is depended by the season.

The reasons why there are so many Vietnamese illegal labourers working in Maguan country of the border are listed below:

1.Geographical location. The border line between China and Vietnam is very long, and there are many paths. There are more than 30 paths that connect China and Vietnam in Maguan country alone. So it is easy for Vietnamese border residents to travel in China illegal.

2.Transnational nationality factors. There are 8 ethnic groups in the border city Maguan which including Zhuang, Miao, Yi, Dai, BuYi and Yao. All of them belong to transnational nationalities that live in both China and Vietnam. Because of the similar language, customs and so on, they are easy to marry or trade with each other, so they lack border laws and national consciousness that course the issue of illegal enter or work.

3.Economic development gap. The regional economics in Maguan is very developed more than the other border cities in Vietnam (personal GDP is about 2 to 3 times of Vietnamese), so it has provided more working opportunities and the salary is higher, which attracts more Vietnamese labourers moving to China, especially during planting seasons.

4.Shortage of the local labour. As mentioned before, many local young labourers move to inland or other big cities to work, which leads to the shortage of local labour. Many villages have to hire Vietnamese border labourers to work during planting seasons, which attracts many of Vietnamese to enter illegal labour work.

5.Salary factors for villages. Compare with local labourers, the salary pay for Vietnamese labour is lower. Recently, the salary of Chinese labour is at least 60 RMB per day; some academic labour is 80 to 220 RMB per day. However, the salary for Vietnamese labourers who work in Maguan is only 20 to 30 RMB per day, even town's inland hire and pay Vietnamese labourers 40 RMB per day. So, because of this factor, many private enterprises prefer to hire Vietnamese labour.

## **THE INFLUENCE OF VIETNAMESE BORDER ILLEGAL LABOUR TOWARDS CHINESE BORDER AREA**

**Effect of Vietnamese Border Illegal Labours.** There are many effects on the Vietnamese border inhabitants entering to China to work. One side, it alleviates the conflict between the Chinese border town labour shortages, especially the local people which are reluctant to engage in some of the physical labour such as planting, construction, mining, logging, catering, and service industry and so on. This has the positive effect for local economic developments. Meanwhile, because of frequently contacting between Vietnamese and Chinese young people, it creates many mixed marriages as well, especially Vietnamese young ladies and Chinese young men, that caused a lot of Vietnamese border labourers to stay in China illegally. In Maguan City, there are 835 illegal residences (831 Vietnamese, 3 Laos and 1 Burmese), and 14 of them are male, the rest, 821 are female. Some of them even moved from border to inland besides border towns, Du long has 367 illegal residences, Jin Chan town has 218 illegal residences, and Xiao Ba Zi town has 189. The inland town named Ru Ren He and others have 61 illegal residences, and most of them are staying inside China after intermarriage.

The other side, the great number of Vietnamese illegal immigration caused negative effects on the border area security, such as:

1. Increasing the difficulty of Chinese immigration control. There are many channels between Chinese and Vietnamese border, which caused many Vietnamese border inhabitants to enter into China through these channels and never performed a legal border pass. Meanwhile, China Customs, CCIQ and other departments are difficult to check and control this issue because of the limited human resources and equipment condition.

2. Increasing working pressure of deportation. It is general problem about illegal immigration and labour between the border of China and Vietnam, so dealing with deportation is one of the most important tasks. However, Vietnamese illegal labour issues increase its difficulty. Firstly, high cost. Chinese government needs to afford all the fees including accommodations, transportations, clothes and other related fees for deported people. Secondly, all these deported people live in different regions of their country, so China needs to invest plenty of people to work for that. Thirdly, repatriation prone to again and again. As mentioned before, there are many channels between the border of China and Vietnam, some of Vietnamese come again after repatriation.

3. Effecting on the Chinese border line of administrative law enforcement. China has its rules named "The Law of Entry and Exit Administration" to manage and control foreigners illegal entry. And in Yunnan province, the local government also has its requirement named "The Law of Entry and Exit Administration of China-Vietnam and China-Lao" and so on. But actually many of these requirements are difficult to execute. For example, in "The Law of Entry and Exit Administration of China-Vietnam and China-Lao", the 19<sup>th</sup> requirement states the illegal entry foreigner can be punished 100 RMB, the 20<sup>th</sup> requirement states the illegal staying or inhabiting foreigner can be detained 1 to 3 days. However, in the real situation, sometimes the border inhabitants do not care about this punishment or totally cannot afford this money.

4. Affecting the social order of Chinese border area. Vietnamese illegal entry makes many aspects of social order in the Chinese border area. Firstly, it increases many international issues. Because of many Vietnamese entering China to work, especially the planting busy seasons, it influences the security issue in Chinese border area. Some of the Vietnamese enter to China in the morning and return back in the evening, it is difficult to control and manage. Some Vietnamese live in China illegally after then enter to China, which is the most important reason causing the international issues. Secondly, it is difficult to manage the household register. Because the Vietnamese are illegally entered and live in China, the Chinese public security department cannot manage and control these people as the common foreigner. Thirdly, there are many transportation accidents happen to illegal Vietnamese. Most of Vietnamese take motor, van or some other transportation after they enter to China, but many of them don't know the rules of Chinese traffic which causes many accidents.

5. Weakening the Chinese awareness of boundary. Most Chinese border inhabitants don't receive a high education; they have a lack of the knowledge of law and requirements about boundary. Meanwhile, many Vietnamese enter to China frequently causes negative effect on Chinese border inhabitants; most of them don't have idea of boundary and territory. In 2010, China and Vietnam made the Border demarcation, Chinese border inhabitants have a vague conception about border because of the new adjustment, which caused illegal entry, planting and cutting and so on.

**The Method to Deal with the Vietnamese Illegal Labour.** There are many effects on the issue of Vietnamese illegal labour in the border of China and Vietnam, especially the effect on security and social stability of Chinese border area. Chinese government adopted many measures to deal with these issues in order to control the illegal labour but still have no visible affects.

1. China will add the Vietnamese illegal labour issue to China social security comprehensive management system. Firstly, to build the connection with many departments such as International Relations Office, Public Security, Customs, etc; to cooperate, control and deal with this issue together. Secondly, to make sure the boundary control to a special group of people, especially prevent it developing to influence the border security. Thirdly, according to Chinese law, make the

strict punishment to the illegal labour organizers, companies and individuals who hired illegal labour. Fourthly, to ask for assistant from local village committees informing information of the illegal entry to government as soon as possible.

2.To guide legal Vietnamese labour work in China. Because it also has positive influence from Vietnamese labour working in China, so China tries to guide Vietnamese labourers to legally work in China. They can work with entry certificates, working permit, health certificate, etc. Chinese government accelerates to give and check all the certificates and permits for them. First, is making the certificates and permits. Chinese government has strict requirement to make the photos for these documents, and make interview for the applicants face to face, and strict checks for all the processes. Second, is checking. To make a strict entry and leaving passport checking and register system, connecting with internet in order to prevent Vietnamese border inhabitants illegal entry.

3.To enhance the control on all channels of boundary. China is strengthening the control on all the border paths and channels to reduce Vietnamese illegal entry. Firstly, enhancing border patrol. Secondly, enhancing exit and entry patrol. Thirdly, setting temporary duty point to prevent illegal entry.

4.To build the stipulation of repatriate. Firstly, by putting the repatriate fee into government financial budget. Secondly, by adding the illegal entry issue to the duty of public security through registered permanent residence management and daily checking to know the number, location and activity of people who are illegally entered. Thirdly, strict checking on the rental houses, hotels, entertainments, construction sites and markets in order to prevent illegal entry.

5.Enhancing Chinese border inhabitants' legal awareness and national boundaries awareness. According to Chinese border inhabitants' lack of these laws, Chinese government increases the publicity of laws to enhance people's awareness. Firstly, requiring local people not to hire and provide Vietnamese illegal entry and offer information if needed, and assistant local government to do repatriate. Secondly, requiring local people to follow exit and entry rules, and increasing publicity of boundary laws in order to reduce and prevent some illegal actions.

6.Try to get more assistant and cooperation from Vietnam government. For example, some people illegally enter with fake identities which cause the difficulties to check their real identities. And when repatriating them back to Vietnam, Vietnamese government refuses to accept them because they don't have real identities. So two countries' cooperation and assistant is very important. Firstly, by enhancing the communication and cooperation with Vietnamese public security, and try to achieve a common ground. Secondly, by trying to build some cooperation mechanism which can easily collect the information of people who are illegally entering, and can inform Vietnamese as soon as possible to make sure they can control and prevent immediately. Thirdly, by strengthening the cooperation with Vietnamese in order to promote Vietnamese government, which can enhance their ability to deal with illegal exit issues.

## References

- [1] Ran Zaiyang, Almanac of Wenshan prefecture, De Hong minority press (2013) 373—404
- [2] .., Almanac of Ma Guan, Ma Guan almanac compiling committee press (2012) 91-93
- [3] .., Ma Guan border management status report, Ma Guan people's government office press (2013)
- [4] [http://www.yn.xinhuanet.com/live/2008-10/06/content\\_14564855.htm](http://www.yn.xinhuanet.com/live/2008-10/06/content_14564855.htm)