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## **ẢNH HƯỞNG CỦA HIỆP ĐỊNH ASEAN - HONGKONG (AHKFTA) LÊN NGÀNH THỦY SẢN CỦA VIỆT NAM**

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### **Tóm tắt**

Trong bối cảnh thương mại toàn cầu trong thời kỳ đại dịch COVID và xung đột kinh tế đang diễn ra giữa Trung Quốc và Hoa Kỳ, các hiệp định thương mại tự do có ý nghĩa to lớn trong việc thúc đẩy hiệu quả sản xuất của các doanh nghiệp và đạt được lợi thế cạnh tranh về giá trên thị trường. Mặc dù bị ảnh hưởng bởi COVID-19, năm 2019, Việt Nam đã thực hiện một hiệp định thương mại tự do với Hồng Kông có tên là “Hiệp định Thương mại Tự do ASEAN - Hồng Kông”. Về lĩnh vực xuất khẩu sang Hồng Kông vào thời điểm đó, đây là một lợi thế cho các doanh nghiệp Việt Nam. Bên cạnh những lợi ích đầy hứa hẹn, AHKFTA cũng gây ra nhiều trở ngại đối với các doanh nghiệp và công ty. Bài viết này sẽ xem xét thực trạng xuất khẩu thủy sản của Việt Nam sang Hồng Kông trong những năm vừa qua cũng như đề cập đến những cơ hội và thách thức có thể xuất phát từ hiệp định mới với Hồng Kông, và cuối cùng nhóm tác giả sẽ đề xuất một số giải pháp khả thi cho sự phát triển của ngành thủy sản.

**Từ khóa:** AHKFTA, Việt Nam, thủy hải sản, nhập khẩu, xuất khẩu.

### **IMPACTS OF THE ASEAN - HONG KONG FREE TRADE AGREEMENT (AHKFTA) ON VIETNAM'S SEAFOOD INDUSTRY**

#### **Abstract**

In the context of global trade during COVID pandemic and the ongoing economic conflict between China and the United States, free trade agreements are of great significance in boosting production efficiency of businesses and gaining a competitive price advantage in the marketplace. Despite

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being impacted by COVID-19, in 2019, Vietnam implemented a free trade treaty with Hong Kong called “The ASEAN - Hong Kong Free Trade Agreement”. Regarding the export sector to Hong Kong at the time, this was an advantage for the Vietnamese businesses. Aside from the promising benefits, AHKFTA also presents numerous obstacles to businesses and firms. This article will look at the reality of Vietnam’s seafood exports to Hong Kong in the past few years as well as covering the opportunities and challenges likely stem from the new agreement with Hong Kong, and finally we will propose some possible solutions for the development of the fisheries industry.

**Keywords:** AHKFTA, Vietnam, seafood, import, export.

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## **1. Introduction**

The ASEAN – Hong Kong Free Trade Agreement (AHKFTA) is a free trade agreement between Hong Kong and 10 member countries of the Association of Southeast Asian Nations (ASEAN) which officially came into effect from June 11, 2019, in Singapore, Thailand, Vietnam, Laos, and Myanmar.

The Agreement encompasses a broad range of fields including provisions for cutting back custom duties, improving the service flow and investment between ASEAN markets and Hong Kong. With the new regulations applied, both parties are expected to see open market development, better trade laws, fair trade and increasing foreign investment between Hong Kong and ASEAN.

Vietnam has released regulations on special preferential import tariffs and guidance on rules of origin in preparation for the AHKFTA's implementation on February 20, 2020. (Das, 2020)

Alongside other ASEAN members, Vietnam will be able to enhance its competitive free trade network and move up the value chain from low-tech manufacturing to high-tech goods as a result of the deal.

While there has been a growing number of studies focusing on the benefits for Hong Kong and ASEAN countries due to AHKFTA, there are just a few research papers about the benefits AHKFTA brings for Vietnam, especially in the seafood industry, although Hong Kong is one of the biggest import markets. Considering the gap in the literature and the importance of the research topic, our study is the first to examine the impacts of AHKFTA on Vietnam's seafood industry.

Our results shed light on the value of AHKFTA to the seafood import and export of Vietnam and provide important policy implications for policy makers and exporters in Vietnam.

The current paper is structured as follows: the next section includes a literature review while data and methods are given in Section 3, followed by theoretical framework in Section 4, the discussion part outlining policy implications is provided in Section 5 and the last is a conclusion.

## **2. Literature review**

There is a steadily accumulating body of studies, most of them on southeast asian countries, on the topic of prospect for regional free trade prompted by signed FTAs. (Feldman, 2021; Chiang, 2018). The research conducted by Hufbauer and Wong (2005) showed that the Early Harvest program, resulting from an FTA with China, provided a significant advantage for ASEAN exporters of agricultural products, seafood included.

In Vietnam, using the gravity model in examining its 17 main foreign investors for the period 1997–2016, and 23 partners for the period 2005–2016, Holmes, J. M. and Strutt, A. (2020) found

that FTAs are associated with increased FDI inflows. However, based on a report by Vo, T. and Nguyen, D. (2011), FDI into fisheries is rather limited - together with agriculture and forestry, they only attracted 6% of FDI projects.

According to the panel data analysis approach (Chau, 2019), the tariff reduction in the framework of the FTA will have a positive impact on bilateral trade between Vietnam and Hongkong. Concluding the research, the author claimed that such an agreement will be the most beneficial step for Hongkong and Vietnam on the ground that it can strengthen and develop the economic and cooperative ties of the two nations.

### **3. Methodology and data**

This study was carried out between August and October of 2021. To achieve the purpose stated above, we used the research keeping method, which involves comparing and contrasting reliable articles and journals. Our aim is to utilize the existing information and statistics in these sources. Regarding data collection tools, the conduction of this study involved the use of the Market Access Map analytical portal. The data forecasting situations in the future was provided by the Vietnamese Directorate of Fisheries.

### **4. Theoretical framework**

#### ***4.1. The main content of AHKFTA***

The AHKFTA contains 14 chapters which cover broad fields of market including:

- Trade in goods: includes general regulations, schedules of tariff commitments, and schedules of commitments of each member country.
- Rules of origin:
  - + Operational certification procedures;
  - + Product specific rules;
  - + Product specific rules to be reviewed.
- Customs procedures and trade facilitation.
- Sanitary and phytosanitary measures.
- Standards, technical regulations and conformity assessment procedures.
- Trade remedies.
- Trade in services: includes the general regulations, and the schedules of specific commitments of each member country.
- Economic and Technical cooperation.
- Intellectual property (Phuong, 2020).

#### ***4.2. AHKFTA signing process***

On 12/11/2017, The Association of Southeast Asian Nations (ASEAN) and Hong Kong Special Administrative Region (SAR) of China signed AHKFTA.

Since 11/06/2019, The Agreement officially comes into force with Singapore, Thailand, Vietnam, Laos and Myanmar (Phuong, 2020).

#### ***4.3. Trade relations between Vietnam and Hong Kong in recent years***

Being a significant aspect of the overall Vietnam-China comprehensive cooperation relationship, the partnership between Vietnam and the Hong Kong Special Administrative Region,

has always placed a high priority on progress particularly in economic fields, trade, and investment by governments of both countries. The economic - trade cooperation has long been a positive point in Vietnam's mutual relationship with Hong Kong.

According to the Hong Kong Trade Promotion Agency, bilateral trade activity has been constantly rising, from 16.21 billion USD in 2016 to 21.2 billion USD in 2019. Especially from January to September 2020, withstanding the COVID-19 season, two-way trade still reached \$ 17.1 billion, up 17.5% over the same period last year. Vietnam has surpassed Thailand as the third-largest commercial partner of Hong Kong among ASEAN countries.

In terms of investment, 2019 was a great milestone for Hong Kong's investment in Vietnam's localities. With 257 projects and a total newly registered capital of 5.3 billion USD, Hong Kong leads among countries and territories investing in Vietnam and has risen to become Vietnam's fifth largest investor.

In the first 10 months of 2020, Hong Kong investment in Vietnam continued to increase, with 179 projects and a total newly registered capital of 1.37 billion USD. So far, Hong Kong has 1,918 investment projects in Vietnam with a total registered capital of almost 25 billion dollars.

- Export:

According to the General Department of Customs, Vietnam's merchandise exports to the Hong Kong market in the first ten months of 2020 totaled \$ 8.4 billion, up 44 percent compared to the same period in 2019. In October 2020 alone, exports to Hong Kong totaled \$859.7 million USD, down 9.3% from September 2020 but up 32.4 percent from the same month in 2019.

- Import:

Amongst the ASEAN member states, in 2018, Vietnam was Hong Kong's third trading partner at US\$10.7 billion of Hong Kong's total exports with ASEAN.

#### ***4.4. The situation of Vietnam's seafood sector after signing AHKFTA***

##### ***4.4.1. Seafood export situation of Vietnam in recent years in general and Hong Kong in particular***

Among the regional countries and around the world, Vietnam is considered to be a country with extremely rich aquatic resources with rapid growth, continuous increase in export turnover, especially ranked fourth in terms of production output as well as the size of seafood exports.

For many years, the main export seafood products of Vietnam are shrimp, pangasius, sea fish, mollusks, frozen seafood, and dried seafood. The structure of our country's export products is increasingly adding valuable items such as tuna, clam, and some other specialties.

Seafood export turnover is estimated at about 9 billion USD, up 8.4% in 2018. Most of the product groups increased compared to 2017. This is the information announced by the Directorate of Fisheries - Ministry of Agriculture and Rural Development at the Conference on Summary of 2018 and Implementation of the Tasks in 2019 in the afternoon of December 24, in Hanoi.

In the period 2001-2019, seafood exports increased rapidly in both value and output. In 2019, seafood products are exported to 158 countries and territories. In the period 2001 - 2015, the number of factories and the freezing capacity of the processing establishments increased rapidly.

Particularly in 2019, Vietnam's seafood export has achieved unexpected results with nearly \$ 8.6 billion, a decrease of 2.5% compared to 2018. The reason comes from the disadvantage of anti-

tax duties. High dumping, IUU yellow card and lower average export price. The two main aquaculture products, shrimp and pangasius, both decreased by 7.1% and 8.5%, respectively, compared to the previous year, and seafood products such as squid and octopus declined sharply.

In contrast, tuna and other marine fish; other seafood still kept positive growth, so pulled back somewhat the rate of decline in the total seafood export turnover of the country.

Korea, Japan, and the EU remain the three biggest import markets of Vietnam. Besides that, the US imports of Vietnam's squid and octopus increase dramatically. In the first nine months of 2019, the US imported squid and octopus worth US \$ 11.4 million from Vietnam, up 63.7% over the same period in 2018. As of September this year, Vietnam's exports to the US kept rising. The US is recently Vietnam's 6th largest importer of squid and octopus, contributing 2.7% to Vietnam's total export value of these items. In September this year, there has been a consistently positive growth of 2 to 3 numbers in Vietnam's squid and octopus exports to the US. Remarkably, growth in April and September reached over 100%. (Nguyen, H., 2018)

According to the Ministry of Agriculture and Rural Development, the estimated value of agricultural, forestry and fishery exports in January 2021 will reach US \$ 3.49 billion, up 27.1% over the same period in 2020. The export value of aquatic products is estimated to reach 600 million USD, up 19.6%; the export value of major forest products was estimated at US \$1.33 billion, up 47.8%.

The export value of this industry's products reached 3.49 billion USD in January 2021.

The total value of agricultural, forestry, and fishery exports of Vietnam in January 2021 to global markets is estimated to increase. To be specific, the value of exports to America (+ 38.8%), Asia (+ 28.6%), Europe (+ 11.3%), Africa (+ 89.2%) and Oceania (+ 39.9%) and over the same period in 2020, reached respectively: 1.88 million USD, 1.02 million USD, 429 billion USD, 70 billion USD and 62 million USD. (Trademap)

The US, China, Japan, and South Korea are the four leading importers of Vietnam's agriculture, forestry, and fishing sector, with a 26.8% market share (increase 42.2% in value over the same period of the previous year); 25.4% (+ 38.6%); 8.3% (+ 25.6%) and 5.7% (+ 20.9%) in succession.

In January 2021, seafood exports is estimated at 600 million USD, up 19.6% over the same period in the last year. The United States, China, South Korea and Japan, the top 4 markets of seafood exported from Vietnam in 2020, account for 59.5% of total seafood export value. In 2020, statistics showed that in terms of value, Russia market had the highest increase (+ 31.9%) in seafood exported from Vietnam while Thailand had the largest decrease (-15.6%).

#### *4.4.2. Tariff policy on seafood import and export affected by AHKFTA*

There is an expectation that implementation within the framework of AHKFTA will strengthen export activities of agricultural, fishery and prepackaged foods from Vietnam to the Hong Kong market. Regarding imports, the tariff reductions under the AHKFTA contribute to the diversification of imports. The AHKFTA also creates more opportunities to attract investment from Hong Kong into Vietnam as well as chances to approach worldwide markets for Vietnamese goods and services.

The AHKFTA came into force on June 11, 2019, applied for Vietnam, Laos, Myanmar, Singapore, and Thailand. The agreement was first signed and came to term in November 2017 to boost economic cooperation, decrease taxes, and raise investment among regional markets and Hong Kong.

As mentioned by the Decree, the preferential import tax rates are available under the following conditions:

- Imported goods are listed in the special preferential import tariff under Decree 7;
- Imported from countries that are part of the AHKFTA;
- Transported directly from the exporting country part of the AHKFTA; and
- Meet rules of origin guidelines and obtain the certificate of origin (C/O).

The Decree comes into effect from February 20, 2020. For customs declarations of imported goods registered from June 11, 2019 to before February 20, 2020, if all the conditions for enjoying the special preferential import tax are met as prescribed in This Decree and if the tax has been paid at a higher rate, the customs office will manage with the overpaid amount in line with the law on tax administration.

As promised, the average tax rate in the AHKFTA will be cut down by nearly 2% in two years after that (from 6.97% in 2019 to 4.98% in 2022). The largest adjustment in average tax rate occurs in 2021 with a reduction from 6, 52% in 2020 to 4.98% in the year 2021 - 2022.

The General Department of Customs appraises that the special preferential import tariff schedule issued under Decree No. 07/2020 / ND-CP to carry out Vietnam's commitments in the AHKFTA for the period of 2019-2022 is appropriate guidelines, policies and policies for socio-economic development of Vietnam, at the same time to promote the evolution of free-trade, investment and production from country to country. (Das, 2020)

Decree 07/2020 / ND-CP committed Vietnam's special preferential import tax rates for the implementation of the ASEAN - Hong Kong Free Trade Agreement for the period of 2019-2022 and satisfactory conditions of special preferential import tax rates under the Agreement. Subjects of application are Taxpayers (according to the Law on Import and Export Tax); Customs authorities, customs officers; Organizations / individuals have rights and obligations related to imported and exported goods. Vietnam's Special Preferential Import Tariffs are issued together with the Decree with Special Preferential Import Tariffs referred to as "AHKFTA Tax Rate".

Column "AHKFTA tax rate (%)" is applied for 04 periods: (1) from 11 June 2019 to 31 December 2019; (2) from January 1, 2020, through December 31, 2020; (3) from January 1, 2021, through December 31, 2021; (4) from January 1, 2022, through December 31, 2022.

In case of imported goods subject to tariff quotas, the special preferential import tax rates applicable to the quantity of imported goods within the tariff quota are shown in details in the Preferential Import Tariffs, particularly for Vietnam to implement the ASEAN - Hong Kong, China Free Trade Agreement for the period of 2019-2022 issued together with this Decree. The out-of-quota import tax rates are appropriate under the Government's regulations at the time of import and the annual quantity of import tariff-rate quotas shall adhere to regulations of the Ministry of Industry and Trade.

Therefore, it is undeniable that implementation of AHKFTA not only brings about the increase in opportunities to attract investment from Hong Kong to Vietnam, making a contribution to diversifying sources of imports but also creating more opportunities to access international markets for goods and services.

## **5. Discussion**

### ***5.1. Opportunities***

Up to now, Vietnam's exports to Hong Kong are mainly seafood products, some vegetables, fruits and rice. According to statistics of Vietnam Customs in 2020, import and export turnover between Vietnam and Hong Kong reached 11.6 billion USD, accounting for 2.1% of Vietnam's total import and export turnover with the world, about 4.2% of Vietnam GDP in 2020.

As committed by AHKFTA, Hong Kong will eliminate customs duties as soon as the agreement comes into force. Moreover, AHKFTA will contribute to reducing barriers, encouraging trade and investment. Therefore, the implementation of the AHKFTA will further promote the export of goods from Vietnam to Hong Kong's market in the future, especially seafood products and processed food.

Hong Kong was in the top 11 seafood export markets of Vietnam in 2020. According to the data of the General Department of Customs, the amount of seafood exported to Hong Kong in 2020 is worth about \$165.42 million, accounting for 1.97% of total seafood export in 2020.

In 2018, ASEAN became Hong Kong's second largest merchandise trading partner. Hong Kong's total exports to ASEAN increased by 7.3 per cent to US\$2.8 billion compared with the last year, while imports reached US\$73 billion, a 20.1 per cent year-on-year increase. Vietnam is the largest export market in the ASEAN region and the third largest trading partner of Hong Kong at US\$10.7 billion of Hong Kong's total exports with ASEAN in 2018.

With China being ASEAN's biggest trading partner since 2009, trade is expected to grow further with Hong Kong increasingly controlling re-export trade. (Nguyen, H., 2018). In 2019, the US \$28.1 billion, accounting for 97% of Hong Kong's exports to ASEAN, were re-exports, of which 69.8 percent from mainland China emphasizing Hong Kong's importance as a trading center. Vietnam has benefited from the re-export of goods from mainland China to ASEAN through Hong Kong. Re-exports are growing at an average of 3.7% per year, so Vietnam has also become the 6th largest export destination for Hong Kong. In 2020, China is Vietnam's third largest seafood export market: reaching 1.18 billion USD, accounting for 14% of total export volume.

In which, the bright spots for exporting pangasius are China and Hong Kong markets. In November 2019, the export value of pangasius to China - Hong Kong market reached 66.11 million USD, accounting for 37.8% of the total export value of this item. As can be seen, in the pangasius export picture of November 2019, China is the focus market for many Vietnamese pangasius exporting enterprises.

**Table 1. Vietnam's seafood exports to Hong Kong in the first 6 months of 2019 and 2020**

Items	June 2020	First six months of 2020	First six months of 2019	Compare with same period of 2019 (%)	Proportion
Seafood	11,605,295	62,645,928	82,935,763	24,46	1,52

**Source:** Trademap

Therefore, cooperation with Hong Kong under the AHKFTA can bring positive effects to the economic development of Vietnam. It is expected that the implementation of the AHKFTA framework will further boost the export of agricultural, aquatic and processed foods from Vietnam to the Hong Kong market in the near future.

### **5.2. Challenges**

As one of the most-free markets in the world, Hong Kong imposes very few trade barriers on imported frozen seafood. Therefore, Hong Kong market is very competitive, which means that quality products are often priced competitively. Import of frozen seafood into Hong Kong is subject to various laws and relevant legal regulations of this special zone on microbiological standards, preservatives, colorants, needle type and mineral oil, degree of contamination caused by harmful substances (example: hormone residues, etc.).

Any food sold on the Hong Kong market, whether imported or produced domestically in Hong Kong, must comply with food laws. Countries that export frozen seafood to Hong Kong for consumption and processing are required to comply with the Sanitation rules set by the FAO, WHO Codex Alimentarius Commission or any approved standards of production or agriculture. The Department of Food and Sanitation recommends the use of critical point control and hazard analysis (HACCP) system procedures for the production of frozen seafood.

In order to ensure the quality and safety of products, the authorities of the country of origin are required to issue medical certificates for products exported to Hong Kong.

The Hong Kong Government is currently planning to develop a new law to ensure food safety in the Hong Kong Special Administrative Region. The Center may contact the relevant importer and/or distributor to find out the source of the distribution of the problematic foods.

### **5.3. Implications**

Vietnamese seafood exporters must be quick and firm, continually improving both in quality and form, to take advantage of the prospects and surpass the AHKFTA's tough standards. Enterprises, in particular, must develop in the proper direction, in terms of both socioeconomic and environmental sustainability, without compromising the environment for the sake of the economy.

From individuals involved in aquaculture, fishing, and seafood processing to export businesses, local authorities and the government have to change perceptions and perspectives. Vietnamese seafood has entered another playground, although the rewards are greater, the competitiveness is also higher, the competitive environment is also fiercer, many times more

difficult. Therefore, in order to survive and stand firm, businesses need to raise their sense of responsibility and improve technology for farmers. At the same time, supporting businesses in accessing advanced technology and equipment for production are also needed. AHKFTA is a common agreement with other countries. The Government and domestic seafood exporters need to have continuously innovative, radical, and comprehensive reforms to meet the increasingly demanding needs and requirements of the Hong Kong market. Innovation can be from production, sales, marketing or design, management, etc. The Government also needs to have appropriate new policies, support seafood production, and trade, and support seafood businesses to access complete, timely, and reliable information on domestic and Hong Kong markets so that businesses have better preparation in business strategy.

Processing and quality control for seafood exported to Hong Kong should be promoted and implemented continuously in the future. Vietnamese enterprises should pay attention to using chemicals within the safe threshold, and take human health as the base price of seafood exports. According to some managers of the Ministry of Industry in Vietnam, the plant quarantine agency also needs to make a list of chemicals used in agriculture; at the same time, there must be measures to prevent the smuggling of chemicals that do not ensure food safety.

By doing this, Vietnam seafood can stand up to strong and experienced competitors such as Singapore, Thailand, and Indonesia.

## **Conclusion**

After the analysis of the current state of seafood exports of Vietnam in the Hong Kong market and the consideration of the situation of COVID-19, it is obvious that the competition to gain more market shares in Japan is getting more and more intense. However, Vietnam has proven its capability to compete with other neighboring countries, regardless of the effects of the pandemic and remained potential for further improvement.

Acknowledging the upcoming opportunities and challenges, Vietnam's seafood industries should utilize the benefits that come from AHKFTA and focus on certain problems related to the quality of their exporting goods and legal papers needed for customs clearance to reduce the price of the final goods. Nevertheless, the government has to enforce measures to ensure the quality of seafood before exporting as well as financially support the fisheries industries through this crisis.

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