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Consular Protection in Crisis: Vietnam's Response During the COVID-19 Pandemic

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Abstract
Consular protection represents a core function through which states uphold their responsibilities and deliver essential services to citizens residing or traveling abroad, particularly during times of crisis. The COVID-19 pandemic posed unprecedented challenges to these efforts, testing the capacity of governments worldwide. Vietnam, despite being a middle-income country with limited resources, mounted an effective response to protect its citizens overseas. This article presents Vietnam's experience as an instructive case study, analyzed through the lens of Tindall and 't Hart's general analytical framework for consular protection in emergency situations. The findings highlight the importance of adapting existing theoretical frameworks to better reflect the constraints faced by developing countries and to address the complexities introduced by globally disruptive crises.

Keywords
Consular Protection; COVID-19; Vietnam; Emergency Response Framework; Crisis Management; Developing Countries; Middle-Income Countries

INTRODUCTION

The function of a consul can be traced back to the emergence of resident ambassadors during the European Renaissance period, and was institutionalized by many European states in the early modern period. From the 19th century onwards, the consulate and its officials were firmly positioned and associated with the various European diplomatic corps and were mainly tasked with promoting commercial interests (Jestin 2020). The consular institution also developed in Asia (China, Japan, etc.) "to oversee the trade and navigation of their state and to protect their commercial interests" under pressure from the West (Isufi 2020, 89). The development of international travel and globalization in the last decades have led to a fast and significant growth in demands for consular services, with the functions of consular services evolving also to include various dimensions of the individual security of a country's citizen, such as health, livelihood, and fundamental rights (Bhalla n.d.; Melissen 2020a).

Consular protection is a matter of global governance that requires the cooperation of all nations. As consular activities intersect with foreign policy, they evolve into consular diplomacy, which becomes especially critical during large-scale emergencies. In such scenarios, consular diplomacy entails strategically coordinating responses within governments and external partners by leveraging established networks while remaining agile enough to seize new opportunities for collective action. When crises affect multiple countries at once, effective collaboration is crucial, demanding collaboration "to detect emerging threats, share information about unfolding

events, arrive at joint decisions under time pressure, coordinate shared resources, and communicate effectively and preferably with one voice" (Birka et al. 2022).

The study of consular policy and practice has become a topic of growing scholarly interest. In the European context, for example, several authors have examined the strengths and critical aspects of the EU's consular performance and crisis management in third countries (Forni 2012; Porzio 2008). A report commissioned by the Netherlands House of Representatives in 2019 examined how seven developed countries have organised and implemented their consular services, including policy and legal framework, the organization of consular networks, travel advice, and support to distressed citizens in crisis (Hoorens et al. 2019). The report then outlines several ways in which the Dutch government can improve these services. In the Asian context, Chinese researchers have also turned their attention to how their government assists the huge number of overseas Chinese citizens (Xia 2005). In Vietnam, the topic of consular protection often appears in the form of news and internal reports from the Ministry of Foreign Affairs (MFA).

Such previous research highlights operational consular functions – policy frameworks, network organization, and citizen support that were central to the consular work and lessons for effective responses. However, a gap remains in perceiving how those elements function within Vietnam's institutional and political context, particularly under the unprecedented challenges of the COVID-19 pandemic. Moreover, no study has thoroughly analyzed how Vietnam's unique legal mandates and inter-agency coordination mechanisms shaped its consular crisis response under the unprecedented pressures of a global pandemic like COVID-19. The paper thus seeks to resolve the gap by systematically examining how Vietnam shaped its pandemic-era crisis response, contributing experiences for future global health emergency management.

Although generic guidelines stating the mandates and responsibilities of government are available and accessible to citizens in almost every country, many countries lack a national policy framework for major consular emergencies (Tindall and 't Hart 2011). Accordingly, Tindall and 't Hart have proposed a crisis management framework designed to facilitate governments' active response to large-scale events and help guide the treatment of specific consular cases. The framework provides a systematic approach to citizen protection designed to guide the actions of specialized agencies at each stage of a given crisis, allowing, as well, the development of a policy learning capacity.

Of all the case studies of consular crises examined in that study (the 2002 Bali bombings, the 2004 tsunami in Southeast Asia, the 2006 Lebanon war), none compares to the challenges posed by the global health crisis triggered by COVID-19 pandemic, in terms of political urgency, social emergencies, geographic diversity, and multidimensional nature.

The COVID-19 pandemic is a political problem as much as it is a public health crisis. Domestic politics has become a testing ground for how governments prepared for and responded to this crisis. Observing different government responses to the outbreak, it is clear that technical decisions require political decisions about who should be consulted, who should provide advice, which models should be used, what policies should be implemented, how such policies should be enforced, and who should be trusted in the international arena. At the international level, the World Health Organization (WHO) is operating in an increasingly divisive political environment, with proxy battles being waged within these institutions between member states, for example, China and the United States. The politics of orchestrating the multiple

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demands and expectations of states within one international organization is vital to effective management of COVID-19 (Davies and Wenham 2020). Not only did it present a novel type of emergencies and challenges, but consular performance also must be examined in the context of developing countries. When large-scale events affect their nationals, the demands placed on embassies and consulates are likely to overwhelm the limited capacities of their foreign ministry.

This study uses the case of Vietnam in order to (i) illustrate the specific challenges that countries such as Vietnam face, (ii) how it has responded to the crisis, and (iii) what theoretical and empirical lessons could be drawn from this experience regarding the adaptation of consular practices to uncertainties. The aim, through this case, is to examine the effectiveness and potential adjustment of Tindall and 't Hart's framework, both within the context of the emergence of complex and unpredictable global security challenges and in terms of its applicability to countries with limited resources, including developing and middle-income countries.

This paper conducts a qualitative content analysis of Ministry of Foreign Affairs documents, including press releases, policy directives, and internal reports, to trace how Vietnamese authorities govern citizen support throughout the COVID-19 pandemic, and evaluates their activity and efficiency in light of Tindall and 't Hart's framework. Data come from detailed reports of citizen protection from the Vietnam government and Vietnam's Ministry of Foreign Affairs (MFA), insights from other major countries' consular practices, and interviews with consular officers in the field and MFA officials. The early stages of a crisis are usually regarded as the most difficult, trying and confusing time, as governments attempt to understand the nature of the challenge they face. It is, therefore, a key indicator of a government's capacity to manage uncertainty. Accordingly, the case study of Vietnam will focus on the first wave of the pandemic (2020).

In brief, the Vietnamese MFA rapidly adapted its legal mandates and consular networks to deliver sense-making, information management, and environment-handling under severe pandemic conditions. Cross-agency task forces enabled swift and coherent decision-making and communication channels, while targeted measures such as prioritizing vulnerable citizens in quarantine and facilitating medical evacuations showed a bold commitment to individual support. The application of the Tindall and 't Hart framework to the case of Vietnam also underscores operational strengths and weaknesses while making room for improvement in meaning-making, especially with limited capacity on the ground and social distancing policies.

TINDALL AND 'T HART'S GENERAL FRAMEWORK FOR EVALUATING CRISIS MANAGEMENT

Consular protection is stipulated for the first time in Chapter I, Article 5 of the 1963 Vienna Convention on Consular Relations as follows: "Consular functions consist in: Protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law" (United Nations 1963). The 2008 United Nations Document defined consular assistance as the assistance rendered by States to their nationals, and in some cases, to non-nationals (based on bilateral or multilateral agreements), including those who find themselves in difficulties in a foreign State (Dugard 2008).

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Likewise, according to the definition adopted by the European Council, consular protection refers to help provided by a country to its citizens who are living or travelling abroad and in need of assistance, such as in cases of:

- arrest or detention
- serious accident
- serious illness or death
- natural disaster or political unrest
- loss of passport or travel documents (European Council n.d.).

Some organizations also linked the provision of consular protection to human rights. The 1985 UN Declaration on the Human Rights of Individuals who are not nationals of the country in which they live recognizes the right of an alien to communicate with the consulate or diplomatic mission of their sending State (UN General Assembly 1985). In addition, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW) establishes a human right to consular assistance, to which migrant workers and their families are entitled (ICRMW 2003).

Consular protection, however, does not rest there. It also encompasses a wide range of services provided by countries for their citizens residing or travelling abroad, such as regular notarial services, issuance of travel documents, provision of travel advice, and assistance during emergency situations abroad (Hoorens et al. 2019).

The framework developed by Tindall and 't Hart is a two-stage system that includes six crisis response functions, namely sense-making, decision-making, and meaning-making strategically, combined with information management, environment handling, and individual support in the ground, and respective performance indicators to "assess success and failure of consular emergency management efforts" (Tindall and 't Hart 2011). It offers a context-sensitive, multidimensional and strategic evaluation of government performance in large-scale consular crises, with a balance between theoretical basis and empirical grounding from cases like the Bali bombings and the Indian Ocean tsunami. The framework accommodates the jurisdictional constraints and logistical challenges of overseas emergencies while providing performance indicators that elevate accountability and transparency toward affected nationals. However, it is not presented as a checklist of sufficient conditions for a "successful" consular response and does not claim to be comprehensive (Tindall and 't Hart 2011, 139). Instead, it provides a way to break down the emergency response into measurable units and serves as a type of contingency for government (see Table 1).

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Table 1: A General Framework for Consular Emergency Management (Source: Tindall and 't Hart 2011)

Key Crisis Response Functions	As Applied to Consular Emergencies	Indicators of Consular Emergency Response Performance
STRATEGIC		
Sense Making	A. Quickly and accurately establishing the magnitude and implications of a remote emergency	A1. Time lag between event occurrence and: (a) communication of the consular facet to senior central policymakers and among the foreign ministry; (b) implementation of up-scaled response procedures A2. Degree of reliability (relevance, accuracy, comprehensiveness) of information provision to policymakers
Decision Making and Coordination	B. Decision making about the extent of government involvement and coordination of a geographically remote response operation, as well as its domestic ramifications	B1. Timeliness and clarity of decisions regarding government support for citizens A2. Degree of reliability (relevance, accuracy, comprehensiveness) of information provision to policymakers
Meaning Making	C. Framing the events abroad for the domestic public and retaining/building credibility and trust in the government's response	C1. Timeliness and degree of high-level leader presence and engagement C2. Tone of media coverage of consular emergency operations and implementation of a government media strategy
OPERATIONAL		
Managing the Operational Environment	D. Conducting response operations in a foreign, sovereign country, and in an internationalized response environment	D1. Ability to gain access to, and coordinate with, host government(s) D2. Ability to coordinate with other foreign governments also involved in consular operations D3. Ability to coordinate with private and non-governmental actors involved in third countries' emergency responses
Managing Mass Information Flow	E. Processing the mass of incoming messages from and to the government and theatre of action, and managing the demand for information from the public	E1. Sufficiency of call centers and other forms of mass information collection E2. Ability to transfer information while handling personal data with sensitivity
Engaging Individuals in a Mass Event Context	F. Providing targeted, multifaceted support to affected citizens and their families at home	F1. Capacity for holistic individualized needs assessment and service provision F2. Stakeholder assessments of the quality of emergency assistance provision, frequency and 'severity' of individuals' negative feedback

The framework is a useful tool for dissecting how governments manage crises, especially those involving citizens abroad. Its strength is anchored in its multidimensional structure, which captures both the operational and communicative elements of crisis leadership.

By including both internal (sense-making, decision-making, coordinating) and external (meaning-making, account-giving) domains, the framework ensures that crisis management is not only about government responses but also their perception and analysis of crises. The holistic crisis timeline before (sense-making), during (decision-making, coordinating), and after (account-giving, learning) allows adequate time and adaptable phases of emergency response, places focus on situation analysis and sustainable and rational solutions, which later gains long-term institutional improvement and public trust.

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THE CASE OF VIETNAM: CHALLENGES AND OPPORTUNITIES

Sense Making

Initial Awareness of the COVID-19 Pandemic

The World Health Organization first learned of the new coronavirus on December 31, 2019, following a report of a cluster of cases of "viral pneumonia" in Wuhan, China. WHO then recommended people avoid close contact, wear a mask, and get vaccinated. On March 11, 2020, due to alarming levels of international dissemination and severity, the WHO declared COVID-19 a global pandemic. With the rapid and worldwide surge in the number of cases, governments had already started imposing such measures as social distancing, bans on mass gatherings, frequent wearing of masks, curfews, strict restrictions on entry and exit, and widespread lockdowns (World Health Organization 2021a). By April 18, 2021, the number of cases worldwide exceeded 140 million, including over three million deaths. The three hardest-hit countries were India (1,429,304 new cases, 64% increase), the United States (477,778 new cases; 2% increase), and Brazil (459,281 new cases; 1% decrease) (World Health Organization 2021b).

During the first wave of the pandemic, Vietnam presents the case of a small country attempting to use its limited resources flexibly and tactically so as to conduct protective measures for its citizens abroad. While broadly adopting Tindall and 't Hart's framework of consular protection in emergencies, Vietnam adjusted its response strategies and actions in ways that may prove relevant to developing and middle-income countries, in general..

The Consular Department (CD) of Vietnam's Ministry of Foreign Affairs (MFA) has the main responsibility for consular services.[1] In particular, the CD "supports the protection of the state's interests, the legitimate rights and interests of Vietnamese citizens abroad" (Ministry of Foreign Affairs 2014), notably through Vietnamese Overseas Missions (including embassies and consulates).

Consular assistance has been thoroughly and comprehensively examined in a study conducted by the Consular Department (CD) of the Ministry of Foreign Affairs (Ministry of Foreign Affairs 2018). Using Tindall and 't Hart's framework, the study provides an in-depth analysis of Vietnam's policies and actions in support of overseas nationals during major past events. It offers a series of specific policy recommendations.

Building on this framework, Vietnam's Consular Department developed a more detailed model incorporating risk calculations. When Vietnamese citizens are likely to be affected by an adverse event, the Department is expected to assess the severity and potential harm to nationals abroad—categorizing the risk as low, medium, or high—prior to implementing appropriate protective measures. Given the limited scope of Vietnam's consular network and the shortage of technologically equipped diplomatic staff, this initial quantitative assessment serves as a critical tool to guide Vietnamese authorities in selecting suitable crisis response strategies and ensuring the reasonable and equitable allocation of resources for citizen protection.

[1]Decree No. 123/2016/ND-CP dated September 1, 2016, defines the functions, tasks, powers, and organizational structures of ministries and ministerial-level agencies.

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Evaluating Citizens' Risk Levels

From Vietnam's viewpoint, the level of vulnerability and appropriate support accorded to citizens abroad should be based on the degree of risk or the direct impacts of a given crisis on Vietnamese citizens. The risk level correlates positively with the scale of the crisis and the vulnerability of citizens, and negatively with the response capacity of the relevant agencies, as expressed in the following formula (Ministry of Foreign Affairs 2018):

$$\frac{\text{The scale of the crisis} \quad X \quad \text{Vulnerability}}{\text{Capacity of the local authority}} = \text{Level of risk to citizens}$$

Table 2: Calculation of Scale, Vulnerability, and Capacity (Source: Ministry of Foreign Affairs 2018, 73)

Criteria Level	Scale	Vulnerability	Capacity
Low (1 Point)	The number of people affected remains low	Vietnamese citizens will probably be affected	The host country is underdeveloped, where the state is weak and military conflicts, civil war or large-scale crises occur
Medium (2 Points)	Dozens of people were injured	There is specific information on how Vietnamese citizens are affected	- The receiving country is a developing one - Vietnam's diplomatic missions are far from the location of the crisis
High (3 Points)	- Negative impacts in many areas - The number of casualties is high (hundreds of people) and increasing - Major property damage	Severe impact on Vietnamese citizens' lives	- The host country is developed - Full establishment of missions with abundant human resources and the ability to provide timely rescue

After assessing the risk level to citizens, the government—especially its missions—can identify the type of crisis (low risk level to citizens: below 3; medium risk level: from 3 to below 6; and high risk level: from 6 to 9) and accordingly prioritize resources and develop an appropriate response plan (Ministry of Foreign Affairs 2018).

Using this method, the scale of the COVID-19 pandemic should be set at the highest level, 3 points. Regarding vulnerability, most regions severely affected by the pandemic—such as the US, Europe, India, and Southeast Asia—host large numbers of Vietnamese citizens. Therefore, the vulnerability level is also 3 points. Furthermore, Vietnamese diplomatic missions, staffed with sufficient and well-trained officials, are present in nearly all areas affected by COVID-19. However, due to social distancing policies in these third countries, officials found it difficult to approach citizens. Thus, the capacity of local authorities should be rated between 1 and 1.5 points.

$$\frac{\text{The scale of the crisis} = 3 \quad X \quad \text{Vulnerability} = 3}{\text{Capacity of the local authority} = 1 \text{ to } 1.5} = \text{Level of risk to citizens} = 6 \text{ to } 9$$

This situation indicated a high level of risk for Vietnamese citizens abroad, necessitating timely policies and actions to ensure their safety and well-being. As part of the global response to the COVID-19 pandemic, many states and territories closed their borders, and airlines

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suspended international flights. Amid national lockdowns and travel restrictions, numerous Vietnamese citizens—whether traveling for business or leisure, or working abroad—experienced significant confusion and anxiety over their inability to return home. In response, the CD requested that the authorities of third countries create favorable conditions for Vietnamese citizens, including visa extensions and access to medical care in the event of infection. Simultaneously, it coordinated with other ministries and sectors to formulate a comprehensive repatriation plan. The need for protection was both extensive and urgent.

Vietnamese migrant workers account for the majority of overseas citizens with the greatest need. Most are young men and women from rural areas who obtain low-skilled employment in manufacturing, construction, agriculture or housework via both formal and illegal channels (International Labour Organization 2019). According to Vietnam's Ministry of Labor, Invalids and Social Affairs, by June 2020, over 5,000 Vietnamese workers were forced to return home due to the impacts of COVID-19; either their contract had expired or they were sick or pregnant, or they were unemployed due to factory closure or staff cutbacks (Ngan Anh 2020). Unless a way were found for them to go home, they would become illegal residents in their host countries. In addition, many Vietnamese students had to fly home because universities had closed and turned to distance learning. The great number of requests of all types, as well as the diversity of the local situations, presented a significant challenge in terms of communication and repatriation logistics.

Decision-Making and Coordination

Whenever an event occurs that requires the mobilization of the resources of the whole government, administrative guidance documents (decrees, directives, circulars) become vital to ensure the sustained and coherent implementation of policy. In addition to steps taken following the framework, consular responses were also guided by directives from the Prime Minister's office and by supporting documents released by other ministries. By September 2020, the MFA had issued to missions 26 diplomatic notes on Vietnam's guidelines, policies and measures of COVID-19 prevention. However, multiple executive orders were issued during the early days of the pandemic, causing confusion among citizens and consular staff.

As soon as the first wave of COVID-19 appeared, a National Steering Committee for COVID-19 Prevention and Control was established, which later provided medical consultation for the MFA during the process of citizen protection. Overseas diplomatic missions taking charge of consular cases in the field were also asked to follow local policy and to urge Vietnamese citizens to comply with COVID-19 preventive measures.

Meaning Making

In the first wave of the pandemic, the MFA quickly posted five newsletters related to the situation of the Vietnamese in China on the web portal of the Consular Department, covering initial consular activities implemented by the MFA, the delivery of relief supplies to China, and the repatriation of Vietnamese from Wuhan, along with The World and Vietnam Report. The MFA's spokeswoman also addressed questions of concern on citizen protection in the context of her regular press conferences on the impacts of COVID-19 on foreign affairs (Ministry of Foreign

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Affairs 2020, 2). By July 2020, the MFA had addressed over 100 questions from domestic and foreign media while publishing 60 newsletters and travel recommendations targeting citizens overseas. For instance, in Cambodia, amid rapidly climbing numbers of infections, the Vietnamese embassy asked Vietnamese citizens to follow the Cambodian government's preventive guidelines and not seek to return illegally to Vietnam (Consular Department 2021).

Managing the Operational Environment

As the domestic COVID-19 situation tended to stabilize, the heads of the MFA chaired inter-agency meetings to develop a repatriation plan that followed Vietnam's health and containment guidelines. The MFA also held virtual talks with such strategic partners as Japan, China, Korea, Laos, Cambodia and Singapore, discussing travel preferential regulations and the resumption of commercial flights in order to boost economic resilience, share experience and good practices, and create favorable conditions for citizens to return home (National Steering Committee of COVID-19 Prevention and Control 2020).

Managing Mass Information Flows

According to reports from 81 Vietnamese missions worldwide, by September 17, 2020, 68,450 citizens had registered to return home. They were mainly located in Asia (especially ASEAN countries) (36,124), the Americas (16,125), Europe (5,511), Australia (2,698), and the Middle East and Africa (2,060) (Consular Department 2020, 1). The hotlines of the Consular Department, embassies, and consulates accepted citizens' requests for assistance 24/7 and provided quick responses or advice on specific cases (Thuy Dung 2021).

News reports were issued regularly, particularly regarding infection rates. With the increasing reduction and delay of flights due to a surge in cases globally, the MFA kept nationals on waiting lists informed about changing repatriation schedules (Consular Department 2020).

Engaging Individuals in a Mass Event Context

Support in the Field

In the first wave of COVID-19, flights to Vietnam were temporarily suspended, leaving many visiting Vietnamese stranded abroad. Vietnamese missions coordinated with the receiving countries' authorities to promptly provide essentials for citizens who are most in need. For example, in Cambodia, diplomatic officials delivered emergency relief including food, clothing and medical equipment to households in quarantine. The missions also asked Cambodian authorities to provide timely medical treatments for citizens infected with COVID-19.

Organization of Repatriation Flights during the COVID-19 Pandemic

Right from the beginning, a repatriation plan was taken into consideration. Following reports and recommendations of the MFA, the Prime Minister (PM) issued an official directive for the approval of repatriation flights for Vietnamese citizens. He then nominated Deputy Prime

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Minister of Foreign Affairs, Pham Binh Minh, to chair an inter-ministerial committee and make sure that the repatriation of citizens took place in a timely and orderly fashion and that quarantine facilities were in place as soon as they landed in Vietnam (Ministry of Foreign Affairs 2020). Under the direction of the Prime Minister, the Ministry of Foreign Affairs (MFA), in coordination with relevant ministries, implemented the repatriation plan for citizens based on the following order of priority: (i) students; (ii) seniors (over 60); (iii) people receiving medical treatment abroad and having underlying medical conditions (diabetes, heart disease, cancer); (iv) labors with expired visas and tourists (Consular Department 2020). The repatriation of citizens has been one of the most complex and challenging aspects of the response. The CD outlines six specific steps, as presented in Table 3.

Table 3: Repatriation Plan (Source: Ministry of Foreign Affairs 2020, 4)

Steps	Responsibilities of the Consular Department
Step 1	Contact missions to get the number of citizens requesting to return home.
Step 2	Draft a plan for the repatriation of citizens, estimating the number of flights needed.
Step 3	Clear the plan with the senior leadership of MFA, who will then draft a note to the National Steering Committee for discussion, before submitting it to the PM.
Step 4	After approval by the PM, the Consular Department is to send an official request to the relevant agencies to develop a detailed flight plan (including quarantine locations)
Step 5	Inform missions of detailed flight plan; request missions to make a list of eligible citizens, to be sent to the Consular Department for approval.
Step 6	- Examine the list and respond to the embassy - Inform relevant agencies of the weekly flight plan - Missions send a list of the actual number of citizens on each flight to the Immigration Department - Send flight information to the Press Department to develop a newsletter relating to consular protection

The detailed plan, which was examined and approved by the PM, indicates the government's deep involvement in the implementation of repatriation. This also reflects the centralization of power and policy-making in Vietnam that enables prompt, responsive actions and flexibility in emergency situations. However, the selection process remained unclear, specifically regarding the specific criteria used for prioritizing requests. This created confusion among nationals applying for repatriation, resulting in cumbersome procedures and opening the door to corruption.

The repatriation of stranded citizens required coordination among various ministries, municipal authorities, and sectors. For example, the Ministry of Transport directed the Civil Aviation Authority to issue flight permits for flights approved by the CD. The Ministry of Defense oversaw the arrangement of military isolation centers. Meanwhile, the Ministry of Health provided the detailed medical guidelines of COVID-19 prevention and control for citizens (National Steering Committee of COVID-19 Prevention and Control 2020).

Due to an increasing number of citizen requests, the PM promulgated Directive 982 on April 10, 2020, laying the groundwork for citizen protection amid COVID-19. By September 17, 2020, the MFA had operated over 136 flights from about 50 countries or territories, bringing 35,483 citizens back home. It is estimated that 51.2% of citizens who had filed a request were successfully repatriated by September 2020. Between April 2020 and 2021, 397 flights were operated to bring over 105,504 citizens home from 59 countries and territories (Consular Department 2021, 6-7).

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REVISITING TINDALL AND 'T HART'S FRAMEWORK

Despite the comprehensiveness of Tindall and 't Hart's framework, the case of Vietnam helps identify two major limitations to its usefulness.

The first limitation pertains to national and consular capacities. Tindall and 't Hart's policy framework provides governments with an ideal template for preparedness and rapid response. Most developing countries, however, have very limited resources and capacity when it comes to citizen protection in regular times, let alone in the context of large-scale crises.

Missions had limited human resources and lacked specialized staff, even in areas with a large concentration of Vietnamese migrant workers, where needs were particularly acute. Many missions are also located far from where citizens need help. In addition, since testing and centralized quarantine facilities in Vietnam itself were at risk of being overwhelmed, with the risk of adding ever more stress on the public health system, the repatriation plan was delayed when Vietnam experienced a second wave of infections in late 2020, leaving a great number of Vietnamese workers stranded.

Given that the efficiency of consular protection is associated with the capacity of missions on the ground as well as resources available, capacity-building and consular network management were key solutions at that time. Lack of first-hand experience in problem-solving skills in emergency situations delayed the response. Where there is sparse Vietnamese representation, a network of honorary consuls is needed to facilitate information exchange and immediate assistance in crisis.

Apart from logistical and diplomatic preparations, financial issues were particularly challenging. Vietnam has its Fund for Assisting Overseas Vietnamese Citizens and Legal Entities (FAOV), established by the PM in 2007, managed by the CD, and financed mostly by the state as well as donations from individuals and organizations. The fund's main aim is to provide financial support for citizens in grave situations, including food, travel allowance, temporary accommodation in the host country, and the provision of other necessities. In case of emergencies (war, natural disasters, epidemics, terrorist attacks) requiring intense protective measures, namely repatriation, the Vietnamese Overseas Missions will report to the CD for consideration and the final decision will be made on a case-by-case basis. The FAOV is used to cover parts of citizens' costs or make advance payments. Regulations on the use of the fund remained unchanged following its creation, which greatly limited the capacity to help citizens when waves of COVID-19 infections swept through, and national policies stranded huge numbers of citizens (Ministry of Finance Electronic Information Portal 2013; Consular Work Portal 2011).

The second limitation stems from the rise of new global disruptive events. While the framework has been used in different types of crises, complex and unpredictable threats to global security (such as the rise of terrorism, mass, environmental disasters, or pandemics), present new challenges to deliver protective functions when uncertainties abound regarding the origins, nature and impacts of the threat, and when "physical and jurisdictional 'distance' complicate the elementary processes of emergency response" (Tindall and 't Hart 2011). Although this challenge has always existed, it has taken on new dimensions due to the sheer magnitude of recent disasters, both in terms of the populations and territories affected and their broader implications within an increasingly globalized and interdependent international system.

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A critical question arises: how should scarce resources be allocated when the needs are shared across multiple consular posts rather than concentrated in a single location?

Moreover, the global nature of such crises often means that the home country is simultaneously affected, further complicating efforts to provide support to nationals abroad and organize their repatriation. A third challenge lies in the multidimensional character of these crises. The COVID-19 pandemic, for instance, was not only an unprecedented health emergency but also an economic, social, and, in some regions, political crisis. In the case of Vietnam, the pandemic's exceptional severity posed numerous challenges for consular assistance. A particularly pressing issue was the large number of nationals requiring support after losing their employment or facing violations of local immigration laws due to expired visas. Data provided by the Department of Overseas Laborers showed that 80,000 workers facing dismissal, mainly in Japan, Korea and Taiwan, by mid-2020, had already registered for repatriation flights. The Vietnamese government was also under increasing pressure from foreign governments to return illegal citizens to their homeland.

Additionally, the organization of flights faced several problems, such as infected citizens accidentally carried on some flights (from Guinea and Uzbekistan), the difficulty of obtaining a flight rights (notably in the US, since there is no direct flight between the two countries), scattered pick-up locations in distance and quantity (Germany) (Ministry of Foreign Affairs 2020). Moreover, the imposition of social distancing presented diplomatic officials with quite a challenge when attempting to approach the Vietnamese nationals. Consular officers themselves were also susceptible to COVID-19 infection and were forced to self-isolate according to the regulations of the host country.

Although it has been established in the European context for traditional crises, the step-by-step application of the framework by Vietnam demonstrated the practicality and efficiency of the framework. Overall, Vietnamese authorities proceeded along the same sequence of stages outlined in the framework, beginning with timely warnings and advice issued by the government to relieve the sense of insecurity of stranded citizens, moving on to support for citizens in distress, and finally implementing a repatriation master plan.

More reactive approaches adopted by several other nations could be a reference point for Vietnam, given key differences in preparedness, communication, and citizen outreach. Baltic and Nordic countries used consular registers to estimate how many citizens might be impacted. Denmark, Finland, and Iceland demonstrated a proactive approach to consular protection in the early days, government aid being made available without citizens having to request it beforehand. Denmark, for instance, informed those abroad about the consular register and travel applications via SMS, then sent a targeted message to all Danish SIM cards worldwide with a link to the database and travel app, enabling further country-specific push notifications. This ensured that the vast majority of Danish citizens eligible for consular assistance received critical information about the emergency. Lithuania and Norway acquired mobile operator data but used it merely for internal decision-making without reaching out to offer help directly. Norway, for example, treats consular help as voluntary, where citizens must first submit their information to be contacted (Birka et al. 2022). The framework thus should be amended to better reflect the case of Asian emerging countries that combine spectacular social and economic dynamism with still limited (but growing) human and financial resources. As a middle-income country with limited economic resources, Vietnam developed a formula to help estimate

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the risk level to citizens abroad during a turbulent period, thus helping the Vietnamese government to allocate resources more effectively. In the long run, a similar formula should be incorporated into the framework to make it applicable to developing countries.

The case of Vietnam offers several policy lessons for governments, particularly in the Global South. Early stages of sense-making and meaning-making through timely communication and public engagement can build trust and ensure citizens abroad are informed and aided. Coordinated decision-making across ministries and diplomatic missions enables rapid action, such as repatriation and emergency assistance. Also, institutional learning from past crises (e.g., SARS) helps enhance preparedness and resilience. Governments of developing and middle-income countries should advance digital consular tools, maintain updated citizen registries, and establish clear protocols for proactive outreach, even in the absence of prior individual requests. It is worth noting the importance of international cooperation in consular protection, where shared early-warning systems, communication platforms, and joint training exercises among foreign ministries could be set up to facilitate peer learning and resource pooling, especially for countries with limited capacity.

In addition, sub-plans, for example, on the distribution of essential aid to citizens in distress, on repatriation plans, and on coordination among consular posts might help facilitate the appropriation and implementation of the framework. Negotiation of prior agreements with key host countries would also be helpful, as would revisiting the training of consular personnel. As requests for help abroad often come from low-skilled and temporary laborers in large quantities, with limited resources, diverse occupations, and facing local language barriers, a non-Western theoretical framework should be proposed targeting middle-income nations like Vietnam.

CONCLUSION

Given the lack of studies on the consular practice of developing and middle-income countries during global-scale crises, especially the COVID-19 outbreak, the case study of Vietnam adds to our understanding of the theory and practice of consular protection in emergencies. Although developed in the context of non-global crises and based on the experience of developed countries, Tindall and 't Hart's framework proved its usefulness in helping Vietnam develop a systematic, focused, and policy-oriented model for not only evaluating but also identifying measures that should be taken during emergencies. It encourages governments to institutionalize lessons learned and formulate a programmed response rather than passive solutions for a one-time event. In essence, the Tindall and 't Hart framework not only facilitates crisis response, but it also reveals the governance capacity of a state under pressure. When applied thoughtfully, it can unveil both the strengths and weaknesses of public leadership in turbulent times.

A comprehensive and inter-agency strategy based on Tindall and 't Hart's framework, which included information-sharing, communication, delivery of basics to the most vulnerable groups of citizens, and repatriation, was developed. Vietnam mapped out a more detailed course of action based on the general framework combined with its previous consular experience, which specified agencies or individuals in charge and did a quantitative assessment of crisis severity for respective responses. The quantification part could be an added value to the

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theoretical framework and help guide small countries in response to large-scale disruptive events. The COVID-19 pandemic, however, presented new operational difficulties, such as foreign ministry involvement, timeliness, communication and coordination among relevant agencies.

From the perspective of a middle-income country with limited healthcare resources and economic capacity, Vietnam's handling of the first wave of COVID-19 was, to the world's surprise, remarkably effective. This success can be attributed, to some extent, to a centralized governance system that allowed for prompt, flexible decision-making and effective top-down coordination, particularly vital in emergency situations such as the COVID-19 pandemic.

This case study highlights the need to develop a framework that considers both the limited capacities of developing and middle-income countries and the complex challenges posed by the global nature of crises. In addition, several key reforms are required to align response mechanisms with the actual capacities of these countries.

First, it is essential to establish clear, quantifiable criteria for assessing the severity of situations and prioritizing citizens in need. Second, the effective mobilization of human and financial resources must be at the core of any crisis response strategy.

Finally, a more detailed implementation plan—one that includes risk assessment and forecasting tools—would enable more accurate predictions and provide clearer guidance to field officers.

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CRediT AUTHOR STATEMENT

Hanh Thi Nguyen: conceptualization, methodology, resources, writing-review and editing, supervision. **Linh Hoang Vo:** writing-original draft, formal analysis, data curation.

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