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Building Pathways to Gender Equality for the Business Sector through the Women's Empowerment Principles:

Viet Nam Policy Roadmap Country Action Brief



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BUILDING PATHWAYS TO GENDER EQUALITY FOR THE BUSINESS SECTOR THROUGH THE WOMEN'S EMPOWERMENT PRINCIPLES (WEPS): VIET NAM POLICY ROADMAP COUNTRY ACTION BRIEF

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The Brief was produced under the overall supervision of the WeEmpowerAsia Programme and co-authored by Nguyen Thi Bich Thuy, ILSSA, Hoang Thu Hang, ILSSA, Katja Freiwald, UN Women Regional Lead of WeEmpowerAsia and Nguyen Kim Lan, UN Women Viet Nam Programme Manager of WeEmpowerAsia with overall supervision from Elisa Fernandez Saenz, Representative of UN Women Viet Nam Country Office.

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List of Abbreviations

ASEAN	Association of South East Asian Nations
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CFAW	Committee for the Advancement of Women
DOLISA	Department of Labour Invalids and Social Affairs
GRB	Gender-responsive budgeting
GRP	Gender-responsive procurement
GSO	General Statistics Office
IDIs	In-depth interviews
IFC	International Finance Corporation
ILO	International Labour Organization
M&E	Monitoring-evaluation
MNE Declaration	Declaration of Principles Concerning Multinational Enterprises and Social Policy
MOET	Ministry of Education and Training
MOF	Ministry of Finance
MOJ	Ministry of Justice
MOLISA	Ministry of Labour Invalids and Social Affairs
MPI	Ministry of Planning and Investment
MSMEs	Micro, Small and Medium Enterprises
NCFAW	National Committee for the Advancement of Women
NSGE	National Strategy on Gender Equality
SDGs	Sustainable Development Goals
SMART	Specific - Measurable - Attainable - Relevant - Time-Bound
SMEs	Small- and Medium-sized Enterprises
STEM	Science, Technology, Engineering, and Mathematics
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNFPA	United Nations Population Fund
VCCI	Vietnam Chamber of Commerce and Industry
VGCL	Vietnam General Confederation of Labor
VNDs	Vietnamese dong
WB	World Bank
WEF	World Economic Forum
WEPs	Women's Empowerment Principles
WOBs	Women owned businesses

01

INTRODUCTION

1.1 Why did we write this Policy Roadmap Country Brief?

Viet Nam upholds a positive reputation as a country where women enjoy formal equality under the law, have a comparatively high workforce participation, access to economic opportunity, and ever improving health and higher education attainments. Despite this, existing gender gaps persist. These gaps include: a widening sex ratio at birth in the context of son preference; stereotypes on gender-appropriate fields of study and streaming into a narrow range of occupations; vulnerable, unprotected and low paid employment among women; bias against women in leadership, especially with respect to holding executive positions; a high prevalence of intimate partner violence, alongside the low availability of support services; and a societal expectation that women are responsible for unpaid care work in the home, and obliged to balance this with paid work - in the face of a limited child and elderly care infrastructure.¹

The COVID-19 global pandemic inflicted a gender specific toll. In Viet Nam, women's workforce participation has tapered as a result of their predominance in the sectors of tourism, retail, hospitality and light manufacturing - all hardest hit by the negative impacts of the pandemic. Micro, Small and Medium Enterprises (MSMEs), where women predominate as owners, were severely impacted by COVID-19-related downturns. The COVID-19 global pandemic has served to exacerbate and increase women's unpaid care work and the concurrent shadow pandemic of escalating violence against women in the household.² This is the moment to challenge the untenable burdens placed on women, underpinned by persistent traditional cultural mores, and institute policies that invest in the care economy which would deliver considerable benefits to women in their engagement in the public domain and open up

1 UN Women, DFAT, ILO & ADB Country Gender Equality Profile Viet Nam, 2021.

2 UN, 2020. UN analysis on social impacts of COVID-19 and strategic policy recommendations for Viet Nam.

women's access to available opportunities in employment and business.

UN Women Asia Pacific Office and UN Women in Viet Nam has developed the Women's Empowerment Principles (WEPs) Policy Brief Series in ASEAN to promote women's empowerment and gender forward policies for ASEAN member states. **Building Pathways to Gender Equality for the Business Sector through the Women's Empowerment Principles: Viet Nam Policy Roadmap Country Action Brief** (hereafter, this Brief) provides a summary overview of public-sector policies and strategies recommended for Viet Nam to advance the implementation of the seven WEPs.

1.2 Purpose of the Viet Nam Policy Roadmap Country Action Brief

The Viet Nam Policy Brief examines current policies promoting gender equality in the business sector³ using the WEPs Public Policy Roadmap as a guide (see Annex 1). The Brief also emphasizes ways to improve gender equality in the business sector and provides recommendations for how the government and other entities such as regulators and members of the business sector can promote equal participation and better outcomes for Vietnamese women in business, the workplace, the marketplace, and the community.

1.3 Who Is this Brief for?

This Policy Brief targets the following stakeholders from Viet Nam:

1. **Government** policymakers and regulators;
2. **Advocacy, Civil Society, Employers' and Workers' organizations**,⁴ working to promote gender equality and women's empowerment in the business sector;
3. **Companies of all types** (state-owned, joint-stock, foreign-invested, private; listed, non-

3 In Viet Nam, the business sector includes state-owned, private, limited liability, collective name, foreign investment, joint venture, joint-stock companies and companies set up by Enterprise Law.

4 The International Labour Organization (ILO) is the only tripartite U.N. agency with government, employers, and workers representatives.

listed; small, medium, large) as well as **business associations and employers' organizations**, that want to benchmark their gender equality initiatives.

The business sector has attained an increasing role in promoting an inclusive and sustainable economic development. Given this shift, government policymakers and regulators should be able to find the means to shape and monitor business conduct, specifically in relation to business sector performance linked to socio – economic governance, to include that of promoting gender equality and women's economic empowerment. It is crucial that these administrative actors work in collaboration with advocacy, civil society, and workers' organizations and, equally important, with companies, employers' organizations, and business associations as no single group of stakeholders alone can achieve gender equality.

1.4 What does this Brief offer to its readers?

This Policy Brief offers:

1. A review of the current situation and policies pertaining to gender equality and women's economic empowerment in Viet Nam. It introduces the WEPs Public Policy Roadmap for Viet Nam, which provides a comprehensive review of the policies, programs, and legislation related to advancing women's leadership and equal participation in business mapped against the globally established WEPs framework.
2. An analysis of the status of gender reporting and accountability in the business sector in Viet Nam should outline markers illustrating the degree by which gender related indicators are incorporated into policies and mechanisms.
3. A set of policy and action recommendations for how government policymakers and regulators can promote, improve, and achieve gender equality in business.



02

**THE WEPS AND
REPORTING AS
IMPETUS FOR
ACTION**

The Women's Empowerment Principles (WEPs) established by the UN Women and UN Global Compact in 2010 are a set of principles offering guidance to business on how to promote gender equality and women's empowerment in the workplace, marketplace, and community. The WEPs are an important instrument for looking at and stimulating the business sector's contribution to gender equality in the 2030 agenda and UN Sustainable Development Goals (SDGs). By committing to the WEPs, businesses signal their commitment to empowering women through business practices and to work collaboratively with stakeholders. The WEPs provide government policymakers and regulators a framework for introducing clear guidelines and regulations on business sector reporting and accountability. Improved reporting mechanisms within the business sector can act as a driver for action towards gender equality in business and can catalyze expansive transformative social change. The WEPs indicators and tools can be used as a guide by government policymakers and regulators in putting in place a more transparent, public, and consistent monitoring and reporting system with standardized gender equality indicators.








The WEPs Public Policy Roadmap (the Roadmap)⁵ provide governments in the ASEAN region with a comprehensive review of public sector policies, strategies, and legislation that relate to each of the seven WEPs. It is a benchmark upon which Southeast Asian countries can assess and compare their current gender-inclusive policies, thereby helping government policymakers and regulators to gain insight into the areas that require more attention and work to advance gender equality in the business sector.

A WEPs Viet Nam Public Policy Roadmap Scorecard (the Scorecard) was then developed to provide a policy assessment of gender inclusivity in Vietnam, indicating how closely each of the seven WEPs is met and offering recommendations to advance these areas. In light of the findings of the Roadmap and Scorecard, along with the recommendations in this Brief, the Viet Nam government policymakers and regulators are guided in legislating proactive measures for ensuring gender equality in business, specifically addressing gender-related issues, improving accountability and reporting mechanisms.

⁵ Developed by UN Women, the International Labour Organisation (ILO), and the Value for Women.

Box 1: The Women's Empowerment Principles (WEPs)

The Women's Empowerment Principles (WEPs) engage the business sector in closing gender gaps in seven key areas:

-  Principle 1: Establish high-level corporate leadership for gender equality
-  Principle 2: Treat all women and men fairly at work – respect and support human rights and non-discrimination
-  Principle 3: Ensure the health, safety, and well-being of all women workers
-  Principle 4: Promote education, training, and professional development for women
-  Principle 5: Implement enterprise development, supply chain, and marketing practices that empower women
-  Principle 6: Promote equality through community initiatives and advocacy
-  Principle 7: Measure and publicly report on progress to achieve gender equality

Although the WEPs are specifically tailored for business sector, the public sector plays an important and complementary role in their implementation, specifically by providing incentives, regulation, and oversight.

2.1 Summary of WEP Viet Nam Scorecard findings

(see Annex 1 for the full WEPs Country Policy Assessment for Viet Nam)

This section is a summary of the WEP Viet Nam Scorecard findings that government

policymakers and regulators need to prioritize to help agencies, particularly those that oversee and work with the business sector, address gender issues and concerns related to women's empowerment in the workplace, marketplace, and community.



WEP 1: High-Level Corporate Leadership

Viet Nam has ratified international gender commitments, specifically the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and relevant ASEAN declarations. Despite the fact that Viet Nam has adopted a set of national policies to promote gender equality, the performance has been limited by insufficient resources.⁶

To achieve a more comprehensive and coherent implementation of international gender commitments within national policies and programs, significant efforts are needed. Viet Nam should introduce gender responsive budget (GRB) legislation and a strategy; as well as improve the implementation of the GRB policy and strengthen the enabling mechanisms that support the GRB efforts of agencies. These are also areas that government policymakers and regulators should address to help agencies, particularly those that oversee and work with the business sector, address gender issues and concerns relating to women's economic empowerment.

⁶ For the National Program on Gender Equality 2016–2020, 103 of 180 billion VND (57%) was mobilised. (UN Women Vietnam, 2021).



WEP 2: Treat All Women and Men Fairly at Work without Discrimination

Despite the high Vietnamese women's labor force participation rate, women are not participating equitably, there is still a discernable gap between men and women in terms of occupation, employment status, salary and leadership. Gender-based discrimination with respect to retirement age persists. The view that women should retire earlier than men has a clear impact on women's progression in the workforce especially when it is enforced in law as has been the case in Vietnam.⁷ Moreover, it has the effect of limiting women's career paths and economic opportunities over their life course.

The gap women face in employment quality and career development stems from the double burden they carry. The unequal share of care-responsibilities within the home is holding back women at all levels to participate equally in the business, it also limits women's career advancement compared to that of men. Policymakers and regulators have work to do regarding policies that promote women on to corporate boards; actions that go beyond legislation supporting pay equity; or promoting the sharing of care responsibilities and parental leave. In addition, the ILO conventions C177 on homework must be ratified.

⁷ The Labour Code 2019, Article 169: The retirement age for workers in normal working conditions shall be adjusted according to a roadmap of increments until reaching 62 years of age for male workers by 2028 and 60 years of age for female workers by 2035.



WEP 3: Employee Health, Well-Being, and Safety

In view of prohibiting acts of sexual harassment, over the last years, the Government of Viet Nam has been making efforts to improve the system of laws and policies in order to regulate and address the incidence of sexual harassment. However, there are still certain gaps in the current legal and policy system such as a lack of an explicit and specific definition of gender-based violence and sexual harassment as well as detailed regulations on the specific incidence of sexual harassment. In fact, sexual harassment still occurs in the workplace, schools and public places; in which female victims still account for a larger proportion of the total than male victims. Women of all age groups can be victims of workplace sexual harassment. A study by MOLISA and the ILO noted that certain groups of women are particularly at risk, including those aged 18–30 years and women in junior positions or low status jobs.⁸ To address gender-based violence and sexual harassment in the specific contexts of companies, businesses, and offices, sustained efforts are needed to raise awareness and build internal capacities. Policymakers and regulators have work to promote a stand-alone policy or a commitment embedded in a broader corporate policy that affirms zero tolerance of all forms of violence at work (including while on business related travel and in client entertainment). The ILO Convention on Violence and Harassment (C190, 2019) must be ratified.

⁸ MOLISA & ILO, 2012. Research Report on Sexual Harassment at the Workplace in Viet Nam: an overview of the legal framework. Hanoi



WEP 4: Education and Training for Career Advancement

While the gender gap in general education has narrowed significantly in recent years, the gender gap in vocational education has not yet witnessed a similar improvement. The proportion of trained female workers remains significantly lower than that of male workers, especially in the field of STEM and for disadvantaged women's groups including those who are rural workers, ethnic minorities, the poor, and migrants. A policy which promotes or provides gender-sensitive and gender-responsive career advancement programmes for women with heavy care work responsibilities is yet to be developed.





WEP 5: Enterprise Development, Supply Chain and Marketing Practices

In Viet Nam there is legislation on equal access to resources, assets, and financial services, including a prohibition on discrimination against women in accessing credit and a guarantee of equal property rights. However, the small size of women's enterprises makes it difficult for them to obtain official funds or compete for funding.⁹

There are currently some supporting policies to promote gender-responsive procurement (GRP). A review of the current national laws and policies indicates that Viet Nam has specific regulations on preferential procurement for Women-Owned businesses (WOBs). The 2017 Law on providing assistance for SMEs has, for the first time in Viet Nam, regulated the definition and priorities for WOBs (Article 2 and Article 5); and the 2013 Law on Bidding sets preferential treatment for bidders employing women during the qualification for bidding.¹⁰ However, due to a lack of information and complicated processes, few WOBs have received these incentives. Women's needs for starting a business are considerable, while the current support sources have failed to meet them.¹¹

Government policymakers and regulators can do a lot to continue expanding economic opportunities for women and WOBs and enable them to equitably participate in markets and especially procurement markets by raising awareness about the business case for GRP and introducing specific provisions in procurement laws and practices to enable it.

9 VCCI & Australian Aid. 2021. Business environment in Viet Nam: An assessment from women-owned enterprises' perspective.

10 Intracen. n.d. Viet Nam: Preferential procurement for women-owned businesses. https://procurementmap.intracen.org/Data/Results?countryID=704&sort_by=Deadline&order_by=asc§ion=women

11 VCCI & Australian Aid. 2021. Business environment in Viet Nam: An assessment from women-owned enterprises' perspective.



WEP 6: Community Initiatives and Advocacy

There have been a number of initiatives in the business community on the implementation of programs and activities to promote gender equality, eliminate discrimination and create development opportunities for women in the community. However, these initiatives have only attracted a few enterprises to voluntarily participate and hence its results have not been sustainable.

To see longer-term positive results, it is important to continue encouraging and supporting the integration of gender into community initiatives and business sector advocacy through regular exchanges for deeper engagement and partnerships.



WEP 7: Reporting and Accountability

Viet Nam has made a considerable effort in developing gender statistics and gender equality reporting including issuing a new set of national gender development indicators and producing Gender Statistics Books. Viet Nam's law also stipulates the responsibility of enterprises in implementing gender equality in the workplace. However, there have been no regulations requiring enterprises to collect gender specific data and periodically report on the performance of implementing gender equality in the workplace and the marketplace. Therefore, most companies in Viet Nam have not collated gender-data and/or set gender-indicators and targets to monitor and report on their progress on gender-equality, such as women in leadership positions, labour force participation, equal remuneration; procurement spend with WOBs or on the implementation of policies for female workers and policies ensuring gender equality; or mechanisms to address sexual harassment in the workplace or the implementation of activities to promote gender equality within enterprises. Enterprises only perform this task at the request of authorities or of customers/partners.

It is imperative to more substantively include WEPs reporting indicators with respect to, for example, women on boards, leadership, management, equal pay, percentage of new hires, retention rate of employees that took parental leave and the percentage of products/services procured from WOBs, in order to show how the business sector is committed to gender equality and women's economic empowerment in the country.

Information Box 1: Gender gap in the workplace in Viet Nam



- Labour Force Participation Rate: 62.3% for women, 75.4% for men (2020).¹²
- Informal employment: 54.6% of male workers, 46.3% of female workers (2019).¹³
- Weighted gender pay gap based on monthly wages: 13.7% (2019).¹⁴
- Unpaid domestic and care work: Women reported 275 minutes per day compared with 170 minutes per day for men (2016).¹⁵
- Hours spent on services 'for own use': 20.2 hours per week on average for women, and 10 hours per week on average for men. Close to 20% of men did not report any hours (2019).¹⁶
- 7.8% of women in the role of Chair of the board.¹⁷

¹² <https://ilostat.ilo.org/data/country-proles/> Accessed 18 May 2021.

¹³ The author calculates from the data of the Labour - Employment Survey in 2019 of the General Statistics Office. Please note that this calculation is based on Viet Nam's national definition of informal employment as of 2019

¹⁴ GSO. 2020. Viet Nam Labour Force Survey 2019. Hanoi: GSO

¹⁵ ActionAid Viet Nam. 2016. Make a house become a home. Hanoi: ActionAid Viet Nam; Government of Viet Nam. 2020. 2020 National Report on the Implementation of the Sustainable Development Goals

¹⁶ GSO. 2020. Viet Nam Labour Force Survey 2019. Hanoi: GSO. op.cit This is the phrasing used in the Labour Force Survey and represents unpaid work

¹⁷ International Finance Organisation (IFC). 2019. Board Gender Diversity in ASEAN. Washington DC: IFC

Information Box 2: Women in leadership in Viet Nam

- 15.4% of women on the boards of public companies, the second highest percentage in ASEAN.¹⁸
- Increasing the proportion of WOBs has been a government target in the two successive versions of the National Strategy on Gender Equality (NSGE) (2011–2020¹⁹ and 2021–2030²⁰), demonstrating a consistent political commitment to this outcome. However, Target 2 'The rate of female entrepreneurs will reach 30% by 2015 and 35% or higher by 2020' of the NSGE 2011–2020 has not been not achieved.
- 17.8% of all WOBs were joint stock, but only 0.4% of WOBs are listed on the Hanoi or Ho Chi Minh City Stock Exchange.²¹
- Share of female managers in foreign - owned - firms: 34.1% (2019).²²
- The higher the position, the fewer women in the business sector: 16% of women hold middle and senior management jobs in the business sector;²³ and 7.8% of women in the role of Chair of the board.²⁴



18 International Finance Organisation (IFC). 2019. Board Gender Diversity in ASEAN. Washington DC: IFC

19 Decision No. 2351/QĐ-TTg of December 24, 2010, approving the 2011–2020 national strategy for gender equality: Objective 2 - Target 2: The rate of female entrepreneurs will reach 30% by 2015 and 35% or higher by 2020.

20 Resolution No. 28/NQ-CP dated March 03, 2021 of the Government promulgating the 2021–2030 National Strategy on Gender Equality: Objective 2 - Target 3: The rate of female directors or owners of businesses is expected to reach at least 27 percent by 2025 and 30 percent by 2030.

21 Vietnam Chamber of Commerce and Industry (VCCI). 2019. Doing Business in Vietnam: An assessment from women-owned enterprises' perspective. Hanoi: VCCI.

22 GSO. 2020. Viet Nam Labour Force Survey 2019. Hanoi: GSO. op.cit

23 ASEAN and UN Women, 2021. ASEAN Gender Outlook.

24 International Finance Organisation (IFC). 2019. Board Gender Diversity in ASEAN. Washington DC: IFC

Information Box 3: Gender gap in the marketplace in Viet Nam

- Viet Nam has laws designed to support equal access to resources, assets, and financial services, but does not have a Financial Inclusion Strategy to support gender equality, and does not have gender policies aimed at altering gender norms in business.²⁵
- The small size of women's enterprises also hampers their ability to secure official financial assistance or competitive funds.²⁶
- Women stated that the top obstacles they faced to business development were finding customers (63%), market instability (34%), and access to credit and finance (30%).
- Women reported that loan terms were, on average, 13.7 months for women as compared with 16 months for men, and almost half (40%) of the women found loan procedures difficult. Access to information on policies and the business support available, especially on land use, public investment plans, local industry and

25 UN Women, DFAT, ILO & ADB. 2021. Country Gender Equality Profile Viet Nam, 2021.

26 UN Women. 2020. Review of the implementation of small and medium enterprises (SMES) support legislation and the capacity building needs and training services for women-owned SMES and women entrepreneurs in Viet Nam - Study report. Hanoi: UN Women.

infrastructure plans were the most difficult to source. Despite official requirements that this information be publicly available.²⁷

- By 2021, only 136 companies were WEPs signatories. Few businesses have taken proactive steps to expand relationships with WOBs in the value chain and when contracting vendors or encouraged suppliers and vendors to advance performance on gender equality; or had an approach to responsible marketing that considers the portrayal of gender stereotypes; or an approach to assess differential impacts on women and men when developing products and/or services.

²⁷ Viet Nam Chamber of Commerce and Industry (VCCI). 2019. Doing Business in Viet Nam: An assessment from women-owned enterprises' perspective. Hanoi: VCCI

2.2 Key WEPs-related policies and actions in Viet Nam

Viet Nam has developed a series of laws, policies and commitments that support its efforts to promote gender equality and women's empowerment in business sector.

Viet Nam adheres to important international gender commitments such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Until 2021, Viet Nam has ratified ILO Convention No. 100 on Equal Remuneration (effective since 1997), Convention No. 111 on Discrimination in respect of Employment and Occupation (effective since 1997).

The 2013 Constitution of the Socialist Republic of Viet Nam, Article 26 regulates that 'Male and female citizens have equal rights in all fields. The State shall adopt policies to guarantee the right to and opportunities for gender equality. The State, society and family shall create the conditions for women to develop comprehensively and to advance their role in society; Gender discrimination is prohibited'.

The Law on Gender Equality (2006) stipulates 'Gender equality in the field of economy: Man and woman are equal in setting up a business, carrying out business and production activities, managing business and are equal in accessing information, capital, markets and labour sources. It also stipulates gender equality in the field of labour: 'Man and woman are equal in terms of qualifications and age in recruitment, are treated equally in workplaces regarding work,

wages, pay and bonus, social insurance, labour conditions and other working conditions. Man and woman are equal in terms of qualifications and age when they are promoted or appointed to hold titles in the title-standard professions.'

The 2019 amended Labour Code²⁸ has shifted the approach from 'Protecting women workers' to 'Ensuring and promoting gender equality' in labour and employment, abolished the regulations that prohibit the employment of women workers, and given workers the right to choose and make decisions. Specifically, it has removed the regulation that banned women workers from working at night, working overtime, and long distance travelling for work and some occupations. It stipulates the provisions applicable to female employees and an assurance of gender equality, and the prevention and response to sexual harassment in the workplace. Among the policies on female workers and gender equality in the Labour Code 2019 are Maternity and paternity protection, 'the right of female pregnant workers to unilaterally terminate or suspend their employment contract', 'Parental leave', 'Employee security for workers after parental leave', 'Allowances when caring for sick children, pregnancy, and introducing contraceptives' as well as 'occupations and work adversely affecting reproductive and child-nursing functions.'

The Law on Support for Small and Mediumsized (SMEs) Enterprises 2017 has ensured equal

²⁸ This Labor Code was ratified by the 14th National Assembly of the Socialist Republic of Viet Nam during its 8th session on November 20, 2019. This Labor Code shall enter into force as of January 1, 2021.

opportunities for men and women in a business establishment, organization, and operation. The Law has introduced an official definition of 'women-owned small and medium-sized enterprises or SMEs.' It stipulates that in cases where a significant number of SMEs meet the support conditions under this Law, priority will be given to the selection of women-owned SMEs, especially those that employ a large number of women workers.

State Budget Law (2015) has ensured the prioritization of budget allocation 'to implement the State's policies in gender equality goals' (Clause 5, Article 8).

Viet Nam's gender equality commitments are also embodied in **National Strategies and Action Plans** to promote gender equality and the advancement of women since the Fourth World Conference on Women in Beijing in 1995. The National Strategy on Gender Equality for the 2021-2030 period²⁹ has clear goals, objectives and targets to ensure non-discrimination in the workplace, including an increase in salaried female workers, increase in the number of female directors/owners of businesses and cooperatives, and a reduction of the burden of family responsibilities on women.

Women entrepreneurs and WOBs will be given priority in the following schemes: The SME Development Fund,³⁰ 'Supporting women in business start-up in the period 2017 – 2025',³¹ 'Supporting the national innovative startup ecosystem up to 2025',³² and 'Supporting business start-up pupils and students'³³.

Viet Nam announced **the National Action Plan for the Implementation of the 2030 Sustainable Development Agenda**,³⁴ which includes Goal 5

on Achieving gender equality: empowering and creating enabling opportunities for women and girls. Goal 5 is covered by 8 targets, of which Target 5.1 'Minimize and gradually move towards ending all forms of discrimination against women and girls in all sectors/fields and everywhere'.

WEPs Framework a guiding context to business related laws and policies in Viet Nam

Through these laws and policies, the Viet Nam government demonstrates a strong commitment to advancing gender equality and women's empowerment by incorporating and addressing gender issues and disparities in its laws and policies. Policymakers and regulators should oversee the effective pursuit and implementation of the aforementioned laws and policies in order to ensure greater participation and better outcomes for Vietnamese women in the workplace, the marketplace, and the community. The existing and future policies and actions should reflect, incorporate, and address women's issues and concerns, rather than remaining gender-neutral, to truly promote substantive gender equality. Additionally, while these laws and policies address several WEPs, some gaps remain, such as women in leadership, equal pay, equal opportunities at work, equitable procurement practices, and reporting.

Although WEPs is not a legal framework, their thematic areas are partially embedded in selected laws and policies of Viet Nam, as well as international legislation in terms of gender equality and women's empowerment. As a tool or a guide, WEPs provide the business sector with an efficient and practical means of complying with national and international legislation on Gender Equality and Women's Empowerment in the workplace, on the market, and in the workplace community. If the business sector successfully implements WEPs, they are in essence complying with laws related to gender equality and women's empowerment.

29 Promulgated in conjunction with the Government Resolution No 28/NQ-CP dated March 3, 2021

30 Government Decree 39/2019/ND-CP dated May 10, 2019

31 Decree 939/QD-TTg of the Prime Minister dated June 30, 2017

32 Decision 844/QD-TTg of the Prime Minister dated May 18, 2016

33 Decision 1665/QD-TTg of the Prime Minister dated January 30, 2017

34 Decision 622/QD-TTg of the Prime Minister dated May 10, 2017

Box 2: Four key priorities for promoting an enabling environment for gender equality in the business sector**THEME A: Women in business leadership [WEPs#2]**

Viet Nam needs to encourage companies to establish gender-equality commitments and strategies as part of their full business model and across their value-chain (WEPs#1) which includes incentivizing companies to meet targets for women in senior management and on their corporate boards in order to ensure that gender diversity remains in the decision-making process of companies and to ensure an inclusive economy that contributes equally to the economic growth of the country. [WEP 2 - Treat all women and men fairly at work without discrimination].

THEME B: Equal opportunities in the workplace [WEPs #2]

In Viet Nam, high labour force participation rates tend to mask the fact that women are in more vulnerable, unprotected and low paid employment. The unequal share of care-responsibilities in the home and in the community, limited parental leave policies, and gender bias workplace policies are some of the factors holding back women at all levels to participate equally in the business and limits the advancement of women's careers compared to that of men. [WEP 2 - Treat all women and men fairly at work without discrimination, WEPs #3 - Ensure the health, safety, and well-being of all women workers].

THEME C: Equal opportunities in the market-place through gender-responsive procurement [WEPs #5]

Despite policies, plans, and schemes to encourage women's participation in business and support women-owned SMEs, there is no formal policy or framework on gender-responsive procurement (GRP) and limited supporting policies (for example limited access to finance) to enable businesses to leverage their purchasing policies and practices in order to promote gender equality and women's empowerment. As a result, there is an opportunity to add gender data and to consider WOBs in the procurement process. [WEPs 5 - Enterprise Development, Supply Chain, and Marketing Practices].

THEME D: Business accountability and reporting for gender equality and impact [WEPs #7]

Gender-related reporting and accountability, particularly through sex-disaggregated data collections, can be implemented by existing agencies and organizations, generating an evidence base for other policy interventions. Gender-related reporting and accountability should be undertaken across all seven WEP principles [WEP 7 - Gender-related reporting and measurement].

03

**KEY THEMATIC
PRIORITIES FOR
PROMOTING
AN ENABLING
ENVIRONMENT
FOR GENDER
EQUALITY**

The WEPs Transparency and Accountability Framework provides indicators to guide businesses in setting indicators, targets, and support to measure performance on gender-equality aligned with the WEPs value-chain approach. Based on the results of the WEPs Country Policy Assessment as well as that of desktop research, four thematic priorities were identified as key areas that government policymakers and regulators should focus on to further advance and ensure an enabling environment for gender equality and women's economic empowerment in the business sector, particularly, and in the country in general. Following the framework, below provides an analysis of the key gaps in gender indicator reporting for the identified thematic priorities.

3.1 THEME A: WOMEN IN LEADERSHIP

In the theme of Women in Leadership, the Framework provides two indicators: Percentage of women in senior leadership level positions and percentage of women on non-executive boards (for companies with a non-executive board).

WEP Indicator

- percentage of women in senior leadership level positions
- Percentage of women on non-executive board (for companies with a non-executive board)

The National Strategy on Gender Equality for the 2011-2020 period and 2021-2030 period has set targets of 'The proportion of female directors/owners of enterprises and cooperatives will reach at least 27% by 2025 and 30% by 2030'. In accordance with the NSGE, the National Assembly of Viet Nam requires the Government to develop an annual report on the achievement of the national targets on female directors/owners of enterprises and cooperatives. The report focuses mainly

on progress towards achieving goals and targets at the national level, while failing to adequately mention the progress towards achieving goals and targets at enterprise level. The Government, however, does not require enterprises to report on the proportion of female directors or owners in particular. Thus, there are no enterprises reporting on the percentage of women in senior leadership positions or the percentage of women on non-executive boards (for companies with non-executive boards), as well as reporting on the gender composition of the workforce at individual job levels, from entry-level to board level.



The other report templates for business enterprises do not require any more disclosure of gender-related information, such as those identified in the WEP Transparency and Accountability Framework³⁵ and other indicators including whether the enterprise has a policy or approach to non-discrimination and equal opportunity for its hiring and promotion processes, and whether the enterprise has set specific targets and objectives for gender equality.

Increasing women's participation and representation in corporate leadership and management is crucial to addressing the gender gap in female leadership - the higher the position, the fewer women there are in the business sector. Among the benefits of having more women at the decision-making levels of business include improved organizational performance and increased profitability performance.³⁶ Promoting

³⁵ The WEP Transparency and Accountability Framework consists of five main parts: BASELINE INDICATORS (4 indicators, as companies join and sign the WEPs), ESSENTIAL INDICATORS (10 indicators for driving sustainable change towards gender equality), COMPLEMENTARY INDICATORS (8 indicators in key areas to tackle systemic barriers to gender equality), INPUT AND SUPPORT MEASURES INDICATORS (To track policies, practices, measures foundational to achieving gender equality and women's empowerment); and ADDITIONAL INDICATORS.

³⁶ ILO. (2019, May). Women in business and management:

gender equality and diversity policies at all levels, setting well-defined targets, developing gender-inclusive programs and initiatives, including the provision of care work support services can help accelerate women's leadership. Additionally, improving the access of women to training and development opportunities can lead to their advancement into leadership roles.

3.2 THEME B: EQUAL OPPORTUNITIES IN THE WORKPLACE

The WEPs Transparency and Accountability Framework uses three indicators to measure business performance in terms of ensuring equal opportunities in the workplace. These are as follows: percentage of new hires who are women, percentage of employees promoted who are women, retention rate of employees that took parental leave, disaggregated by sex, ratio of the basic salary and remuneration of women to men for each employee category, by significant locations of operation, and grievance Mechanism (SH Indicator) Has confidential, anonymous grievance, resolution and non-retaliation mechanisms and procedures to address and respond to reports and incidents of violence and harassment.

WEP Indicator

- Percentage of new hires who are women
- Percentage of employees promoted who are women
- Retention rate of employees that took parental leave, disaggregated by sex
- Ratio of the basic salary and remuneration of women to men for each employee category, by significant locations of operation
- Has confidential, anonymous grievance, resolution and non-retaliation mechanisms and procedures to address and respond to reports and incidents of violence and harassment

The business case for change. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_700953.pdf.

Enterprises' obligations to submit annual reports relating to labour force³⁷ to the State agencies, such as the annual report on labor utilization; the annual report on occupational safety and health; the annual report on occupational accidents (to the DOLISA) and the annual Report on occupational health (to the Department of Health). In the above reports, there is information regarding employees such as: gender, social security number, job position (manager, technical specialist, technical specialist mid-level, and unskilled worker), wage, heavy and hazardous jobs, types of labor contracts, and social security participation.

Despite the fact that businesses/enterprises have information and statistics about the gender breakdown of 'new hires', 'employees promoted', 'wage', they are not required to report it. Thus, businesses will not pay attention to issues like gender discrimination in occupation choice, gender-related job segregation, equal pay and its effects on employment and career development of female and male workers; at the same time, they have a certain influence on the efficiency and sustainable development of enterprises.

Listed companies typically have data on the 'Retention rate of employees that took parental leave, disaggregated by gender'. These gender indicators are not mandatory for companies to report. Thus, few companies are aware of gender stereotypes about caregiving work ostensibly belonging to women, which has had a negative impact on the career development of many female employees.

It is crucial to collect and analyze data using the above indicators to identify whether a company culture supports working parents, ensures employee welfare, and allows them to balance life and work. Similarly, ensuring equal access to training and career development opportunities, and analyzing data on uptake by gender, can contribute to the improved performance of female employees. Enterprises that implement these measures will be able to increase productivity, retain top talent, and improve employee attraction.

³⁷ Decree No.145/2020/ND-CP of the Government dated February 1, 2020.

Box 3: Gender-related job segregation

We know from the available studies that gender-related job segregation is prevalent, because women are disproportionately represented in low-paying occupations with lower rates of return. Women predominate in service and retail sector employment, which are among the lowest paid. But even in these sectors men earn more than women. Women only earn more than men as clerks, another relatively low paid occupation.³⁸

The study of WB (2020)³⁹ reveals that there are significant gender gaps in the distribution of jobs by sector and industry across a geographic area, ethnic groups, and social classes. Among young people between the ages of 20 to 35 who are well educated, even though young women have the same or even higher career aspirations than young men, more men than women have professional jobs, while women tend to be clustered in lower-paid employment such as garment and footwear manufacturing, the service sector, education, and paid domestic work.⁴⁰ Furthermore, the rise of knowledge economies may pass women by because they are less engaged than men in science, technology, engineering, and mathematics (STEM) education and careers. In-depth interviews (IDIs) with relevant agencies and enterprises indicated that gender-based occupational segregation is pronounced in 'female preference occupations' and 'male preference occupations'. In garment factories, female labour is concentrated in lower paid jobs such as weaving and sewing, while men are employed mainly in more technical and skilled positions such as machine supervisors. IDIs with representatives of two companies revealing that, the reason for the gender segregation of occupations is mainly due to persistent gender stereotypes in career choice. The socialization and education of the young instituted by the family, at school and in society shapes and reinforces a child's awareness of 'Male preference occupations' and 'Female preference occupations'; without question this has a powerful influence on their future career choices.



38 WB, 2018. Viet Nam's Future Jobs - The Gender Dimension

39 WB, 2020. Perceptions of gender disparities in Viet Nam's labor market

40 Cunningham, Wendy, Helle Buchhave, and Farima Alidadi. 2018. Viet Nam's Future Jobs - The Gender Dimension. Policy Note. Washington DC: World Bank.

Employers support childcare

While the governments remains responsible for public investment in childcare facilities, According to the Labour Code 2019, the responsibilities of employers are to either assist and support the building of day care facilities and kindergartens, or to contribute to part of the childcare expenses incurred by workers. Employers should have a plan for the provision of financial assistance for the costs of day care incurred by employees. The employer's assistance for day care costs must be available to both male and female employees. However, employers should only decide the level and time of assistance after discussions with employees in the workplace.⁴¹ Employers that invest in or organize kindergarten centers and classes will be eligible for infrastructure rent reduction or exemption.

In reality, most employers provided part of the childcare expenses incurred by workers; while few employers invested in or organized kindergarten centers and classes due to location difficulties or a lack of capacity to manage kindergarten centers.

The Government, however, does not require enterprises to report on the employers' day care supported. Thus, no enterprises report on this indicator. Employers, with the support of workers, have a fundamental role in promoting gender equality in the workplace. While the legal and policy frameworks must lay the foundation for equal opportunity, real change on the ground cannot happen without the daily pursuit of this objective, within the workplace.

Equal pay

The principle of equal pay for work of equal value is an important aspect of equality in the world of work, as emphasized by SDG 8.5. Viet Nam made a commitment to pursue this principle when it ratified ILO Convention No. 100, on Equal Remuneration.

On average, women in Viet Nam earn less than men. In 2019, the weighted gender pay gap⁴² based on monthly wages was 13.7 per cent. This is relatively low compared to the latest global figure (20.5 per cent).⁴³ However, three observations need to be made. First, Viet Nam's pay gap, after a decreasing trend until 2015, increased by an average of 1.2 percentage points each year between 2016 and 2018, before experiencing a moderate decrease in 2019. Second, a disaggregation of the overall gender pay gap based on monthly wages by occupation reveals areas of female disadvantage well beyond the scale of the national indicator. Female employees in most occupations face pay gaps up to twice as great. The third observation is that the category of employee, is where economic risk is relatively lower, and earnings relatively stable, compared to other types of employment.⁴⁴

Sexual harassment in the workplace



Sexual harassment in the workplace is a sensitive topic in Viet Nam and official statistical data is scarce. Nevertheless, the few studies on this issue have demonstrated its prevalence. The first qualitative study on sexual harassment at school

⁴² The raw gender pay gap refers to the difference in pay between women and men at a specific point in time. The factor-weighted gender pay gap methodology groups women and men into homogeneous subgroups, and then estimates the gender pay gap in each subgroup, to construct a weighted average of all the subgroups. This methodology reduces the impact of composition effect. The subgroups used in this case are education (four categories), age (four categories), working time arrangement (full-time or part time) and institutional sector of employment (public or private). Combining these gives 64 subgroups.

⁴³ ILO. 2018. Global Wage Report 2018/19: What lies behind gender pay gaps. Geneva: ILO

⁴⁴ ILO. 2021. Policy brief: Gender and the labour market in Viet Nam.

⁴¹ The Labour Code 2019; The Decree No. 145/2020/ND-CP, Article 82.

and in the workplace in Hanoi and Ho Chi Minh city in 1999⁴⁵ showed that sexual harassment is a common daily occurrence in both. Women working in factories, offices, or services reported being subject to sexual harassment perpetrated by employers and/or colleagues. Many were forced to change jobs frequently to avoid sexual harassment, some even suffered income loss and damage to their family relationships. A national study on violence against women also investigated sexual harassment in the workplace, schools and public places in 2019⁴⁶, which established that more than one in ten women (11.4 per cent) experienced one or more types of harassment and abuse.

Sexual harassment was first prohibited in the workplace by the 2012 Labour Code in Articles 8, 37, 182, and 183. However, the 2012 Labour Code did not define sexual harassment nor specify the responsibility of employers to prevent harassment or report cases. The 2019 Labour Code addressed this gap by providing a clearer definition of sexual harassment in the workplace, better aligned with the international standard, and defined the obligation of employers to prevent and resolve cases. More detailed provisions on sexual harassment in the workplace will be provided in Decree 145.

Just changing the legal system is not enough to end sexual harassment. Raising awareness and changing attitudes is also essential to highlight the harmful effects of sexual harassment. Sexual harassment in the workplace cannot be tolerated, as well as the issue of gender inequality which is related to the gendered imbalance of power at work. In addition, Viet Nam needs to consider ratifying the Convention C190 on Violence and Harassment as soon as possible.

3.3 THEME C: EQUITABLE PROCUREMENT PRACTICES

The WEPs Transparency and Accountability Framework measures performance for equitable procurement practices through the following indicators: percentage of procurement spend with WOBs, percentage of procurement spend with businesses with gender equality commitments, and percentage of workers in supply chain receiving a living wage, disaggregated by sex.

WEP Indicator

- Percentage of procurement spend with WOBs
- Percentage of procurement spend with businesses with gender equality commitments
- Percentage of workers in supply chain receiving a living wage, disaggregated by sex

The vast majority of WOBs in Viet Nam are micro, small, or medium-sized enterprises (MSMEs). In 2018, women accounted for 26.54% of SME ownership, consisting of 31.6% in urban areas and 18.7% in rural areas.⁴⁷ The study of UN Women & EU (2020),⁴⁸ of the VCCI (2021),⁴⁹ of Investing in Women (2020),⁵⁰ and the study from the International Finance Corporation (IFC) in 2017⁵¹ reported that, the majority of MSMEs owned by women are microenterprises, informal enterprises that have difficulty scaling up or surviving due to the barriers they face in gaining access to finance, business skills, training, and markets. Conversely, most larger businesses are male-owned. MSMEs, are where women predominate as owners, and were severely

47 GSO, 2018. The GSO Enterprise Surveys in 2018.

48 UN Women & EU, 2020. The study: A review of the implementation of small and medium enterprises (SMEs) support legislation and the capacity building needs and training services for women-owned SMEs and Women entrepreneurs in Vietnam.

49 VCCI, 2021. Business environment in Vietnam: An assessment from women-owned enterprises' perspective

50 Investing in Women, 2020. How to invest with a gender lens: A guide for investors in emerging markets

51 International Finance Corporation, World Bank Group. 2017. Women-Owned Enterprises in Vietnam: Perceptions and Potential. Washington, DC.

45 Khuat, TH. 2004. 'Sexual Harassment in Vietnam: A New Term for an Old Phenomenon'. In Drummond and Rydstrom (Eds) Gender practices in contemporary Vietnam. Singapore: NIAS Press <http://www.niaspress.dk/books/gender-practices-contempora>

46 MOLISA, GSO and UNFP, 2020. Results of the National study on violence against women in Vietnam 2019

impacted by COVID-19-related downturns. By April 2020, a UN survey of MSMEs reported a sharp reduction in revenue of around 78% as compared with December 2019.⁵²

The Government of Viet Nam has refined the legal system to promote gender equality in the sphere of economics:

The Enterprise Law 2014, Investment Law 2012, and Tax Administration Law 2012 have ensured equal opportunities for men and women to set up businesses, conduct production and business activities, manage businesses; and equal access information, sources of capital, market and labour resources. Particularly, the 2017 Law on Support for SMEs has introduced an official definition of 'Women-Owned SMEs' and defined the priorities for these SMEs.⁵³ The 2013 Law on Bidding sets **preferential treatment for bidders employing women** during qualification for bidding.⁵⁴ The Government of Viet Nam has also promulgated and executed plans/schemes on exercising gender equality in the market place such as 'SME Development Fund'⁵⁵ with the stipulations on support given to women-owned SMEs and the SMEs that employ a large number of women workers. The Scheme 'Supporting the national innovative startup ecosystem up to 2025',⁵⁶ and the Scheme 'Supporting business start-up pupils and students'⁵⁷ stipulate that woman starting a business are priority beneficiaries. In addition, in order to support 'disadvantaged' groups of women to have opportunities to participate in business start-up, the Prime Minister issued the Scheme 'Supporting women in business

start-up in the period 2017 – 2025'.⁵⁸ Despite policies, plans, and schemes to encourage women's participation in business and support women-owned SMEs, there is no formal policy or framework on gender-responsive procurement (GRP) to enable businesses to leverage their purchasing policies and practices to promote gender equality and women's empowerment in Viet Nam.

Gender-responsive procurement (GRP)⁵⁹

is defined as 'The sustainable selection of services is an important vehicle for enriching supply chains by broadening the range of suppliers of goods and services available to businesses and governments and for advancing women's economic empowerment.

GRP promotes the principles of **buying from WOBs** to enable their equitable access to markets and **buying from gender-responsive enterprises** (GREs) in order to create more gender-responsive value chains.

Based on recent research conducted jointly by ILO and UN Women, there is no policy or legislative framework that explicitly supports or actively promotes GRP among the ASEAN Member States.⁶⁰ The review of existing practices in Asia and the Pacific⁶¹ highlights the important opportunity to integrate GRP into public and business sector programmes as a means to enhance supply chains, build equitable and resilient societies, promote women's economic empowerment, and promote entrepreneurship and inclusive trade. The research also identifies

52 UN Women. 2020. Review of the implementation of small and medium enterprises (SMES) support legislation and the capacity building needs and training services for women-owned SMES and women entrepreneurs in Viet Nam - Study report. Hanoi: UN Women.

53 Article 5: If more than one SME satisfy the conditions for the assistance in accordance with regulations of this Law, the Women-Owned SME and the SME using more women employees will be given priority.

54 Intracen. n.d. Viet Nam: Preferential procurement for women-owned businesses. https://procurementmap.intracen.org/Data/Results?countryID=704&sort_by=Deadline&order_by=asc§ion=women

55 The Decree 39/2019/ND-CP of the Government dated 10 May 2019

56 Decision No. 844/QD-TTg of the Prime Minister dated May 18, 2016

57 Decision No. 1665/QD-TTg dated May 18, 2016 dated October 30, 2017

58 Decision 939/QD-TTg dated May 18, 2016 dated June 30, 2017

59 https://www.ungm.org/Shared/KnowledgeCenter/Pages/PT_GRP

60 UN Women, 2021. Ecosystem Landscaping to advance the Accountability to implement the Women's Empowerment Principles in ASEAN

61 UN Women, The WeEmpowerAsia (WEA) Programme and ADB, 2021. Gender-responsive procurement in ASIA and the Pacific an opportunity for an equitable economic future.

a range of mechanisms and strategies that have been pursued across public and business sectors. Governments have the dual role of both fostering an environment that can incentivize GRP in the private and public sector, as well as being a buyer that integrates GRP into their own practices.

Businesses can use GRP as a vehicle for challenging inequality across their value chains, within corporations, and in the broader economy and society. GRP's multiple benefits include strengthening brand and business reputation and consumer loyalty, which can increase revenues; increasing staff diversity, loyalty, innovation, and retention as part of the broader corporate commitment to equality and diversity; and increasing inclusion, diversity, resilience, and innovation in the supplier base.⁶²

3.4 THEME D: BUSINESS ACCOUNTABILITY AND REPORTING FOR GENDER EQUALITY AND IMPACT

The Framework provides indicators to guide businesses in setting indicators, targets, and support to measure performance on gender-equality aligned with the WEPs. Based on the results of the WEPs Country Policy Assessment as well as of the desk research, the thematic priorities were identified as key areas that government policymakers and regulators should focus on to further advance and ensure an enabling environment for gender equality and women's economic empowerment in the business sector.

Sustainability Reporting Landscape in Viet Nam

Reports on the business sector are critical to enabling companies to better understand their commitments to gender equality and women's empowerment and contribute more effectively to a gender-equal economy that works for all women and men.

The 2006 Gender Equality Law of Viet Nam

stipulates the responsibility of enterprises on gender equality within their enterprise 'to timely report or provide information about gender equality within agencies and organizations at the request of competent agencies'. However, the Law does not require enterprises to report on gender equality on a regular basis, but only at the request of the relevant authorities. Additionally, it does not stipulate the format or content of the form or template of a report on gender equality in enterprises.

Other relevant national government agencies have neither released policies nor introduced mechanisms that require reporting by the business sector on gender equality, such as the Ministry of Labor, Invalids and Social Affairs (MOLISA) and Ministry of Planning and Investment (MPI) whose oversight mandate involves direct tracking and monitoring of business establishments.

In accordance with The National Strategy on Gender Equality for the 2011-2020 period and 2021-2030 (NSGE), the National Assembly of Viet Nam requires the Government to develop an annual report on the achievement of the national goals and targets on gender equality. As a result, the report focuses mainly on progress towards achieving gender equality goals and targets at the national level, while failing to adequately mention the progress towards achieving gender equality goals and targets at the enterprise level. The Government, however, does not require enterprises to report on gender equality.

The Ministry of Planning and Investment (MPI) has been tasked by the government to prepare a national report on the implementation of the 2030 Sustainable Development Agenda goals and targets. Furthermore, MPI is responsible for preparing the instructions for relevant ministries, agencies, and the business sector on how to implement the specific goals and targets, as well as prepare progress reports. The MPI's guidelines do not require enterprises to report on the implementation of sustainable development goals and targets in their enterprises.

The National Committee for the Advancement of Women (NCFAW) is an inter-ministerial

⁶² UN Women, 2017. The power of procurement: How to source from women-owned businesses

committee. Under NCFAW is a network of Committees for the Advancement of Women (CFAWs) in all ministries and agencies and in all 63 provinces of Viet Nam. Enterprises should be responsible for setting up a Committee for the Advancement of Women (CFAW) in their organizations. The CFAW at the enterprises should report on its activities for women's advancement every six months and at the end of each year.⁶³ In reality, it is only state-owned firms that have established a CFAW, while private companies rarely do, or if they do, the set-up is poor.

63 Guideline No. 156/HD-UBQG dated November 26, 2004 of the National Committee for the Advancement of Women on the organization of activities for the advancement of women.

Key informant interviews conducted for this Brief identified several gaps in reporting on gender equality in Viet Nam. Firstly, the absence of reporting requirements for business sector companies in both the listed and non-listed sectors represents a significant gap. Secondly, the lack of institutional capacity of government agencies in charge of monitoring the business sector is a substantial barrier to collecting, analyzing, and reporting on gender equality. Thirdly, there is a lack of awareness in the business sector of the need to implement and report on gender equality, as well as a lack of capacity and insufficient allocation of resources to carry out these activities.

Box 4: National policy or mandate of the Government of Viet Nam to collect, analyse or use sex-disaggregated data

The Government of Viet Nam acknowledged the lack of sex-disaggregated statistics across all sectors (including the business sector) as a key challenge to measuring and achieving progress towards gender equality.⁶⁴ In the past five years, it has undertaken several key initiatives to strengthen sex-disaggregated data collection and using, such as the concerted efforts to produce a new set of national gender development indicators with reference to SDG reporting.⁶⁵ This framework will be important to integrate with the monitoring of the NSGE 2021-2030. The set of national gender development indicators consists of 78 indicators; of which, there are 22 indicators related to labour, employment and access to resources and 2 indicators regarding the percentage of women directors/owners of businesses and cooperatives.⁶⁶ However, the implementation of gender statistics in general and the Set of National Gender Development Statistical Indicators in particular have been facing many difficulties, resulting mainly from the unavailability of a data collection system at all levels. Therefore, gender statistics have not been synchronous, consistent and reliable enough to be used for gender equality work in general and for gender equality information and reporting in particular.



64 UN Women, DFAT, ILO & ADB, 2021. Country Gender Equality Profile - Viet Nam, 2021.

65 Circular No. 10/2019/TT-BKHDT of the Ministry of Planning and Investment on The Set of National Gender Development Statistical Indicators

66 Indicator 0301: the percentage of women directors/owners of businesses and cooperatives and Indicator 0302 Percentage of female owners of farm.

04

**POLICY AND
ACTIONS TO
ADVANCE
GENDER EQUALITY
AND WOMEN'S
ECONOMIC
EMPOWERMENT
IN THE BUSINESS
SECTOR IN VIET NAM**

Due to the government's actions and the existing policy environment, Viet Nam is moving toward a more inclusive, equitable, and sustainable economy. But there is still a long way to go toward gender equality in business. Below we outline several policy action recommendations that could be implemented by policymakers and regulators to tip the balance for gender equality.

Thematic Priority	Policy areas and recommendations	Actions to Support Policy Recommendations	Stakeholders
THEME A: WOMEN IN LEADERSHIP (middle management up)	Completing the policy on training, professional development, rotation, promotion and appointment to eliminate discriminatory practices against women's promotion and to increase the share of women in leadership and management in the business sector.	Revisit strategies including for example quotas or targets and undertake pipeline planning to increase Viet Nam's proportion of women in leadership. This needs to encompass politics, public administration, business sector, especially in executive and senior management positions.	Government - Ministry of Justice (MOJ) - MOLISA - NCFAW - MPI Non-Government/ Other Stakeholders - VCCI - VGCL - Women's Union - Advocacy groups
		Recognise and remove the barriers faced by women entrepreneurs, by promoting equality in access to information, resources (including access to assets and rights to control and dispose of the same) and support including access to markets and financing on non-discriminatory and non-punitive terms, for women entrepreneurs.	
	Incentivize companies to set, report and meet targets for women in senior management and on corporate boards in order to ensure that gender	An accountability mechanism should be in place to ensure that the responsibility of agency heads (government and public sector) for promoting gender equality and women's representation in leadership and management in business sector is implemented and addressed, where performance is identified as inadequate.	

	<p>diversity is guaranteed in the decision-making process of companies leading to a more gender inclusive economy that contributes to the economic growth of the country.</p>	<p>Elicit a company commitment from business leaders to promote gender equality in leadership and management within a business, including allocating resources to implement policies and solutions to promote gender equality and evaluate the implementation of the policies and solutions.</p>	<p>Government</p> <ul style="list-style-type: none"> - Ministry of Justice (MOJ) - MOLISA - NCFAW - MPI <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union
	<p>Increasing women's participation and representation in corporate leadership and management.</p>	<p>If necessary, can apply adequate measures to promote gender equality to increase the ratio of female leaders/middle managers such as:</p> <ul style="list-style-type: none"> • specifying the percentage of female leaders/middle managers; • supporting gender-bias trainings in organizations and especially in the recruitment process • prioritizing women if they are qualified and eligible; • develop supporting programmes including specific leadership and mentorship programmes to prepare women for board positions to address potential supply gaps • facilitate re-entry of women after maternity leave through specific flexible working policies and practices • supporting pregnant and nursing women during the period of attending training and refresher training courses for potential middle leaders/managers 	<ul style="list-style-type: none"> - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups.
	<p>Capacity development for WOBs</p>	<ul style="list-style-type: none"> • Capacity development, leadership programs for WOBs, which includes a networking and mentorship programs, targeted to women, including young and ethnic minorities, • Government in collaboration with VCCI and VGCL to develop a Mentorship Programme for potential women leaders in the business sector. • VCCI and VGCL will need to continue championing gender equality among their members, highlighting 	

		the necessity, benefits and the business case for the development of an equitable workplace.	
	To stipulate the responsibility of companies for collecting data and mandatory reporting	Specify the responsibility of companies for collecting data and mandatory reporting on: <ul style="list-style-type: none"> • Percentage of women in senior leadership positions. • Percentage of women on non-executive boards. 	
THEME B: EQUAL OPPORTUNITIES IN THE WORKPLACE	Promoting Laws/ Policies/ Programs/ Plans pertaining to gender equality in the workplace	<ul style="list-style-type: none"> • The Vietnamese government must ratify international conventions such as Convention (No.156) – Workers with Family Responsibilities and Recommendation (No.165), 1981; Convention (No.183) – Maternity Protection Convention, 2000 (No. 183); and Convention (No.190) Violence and Harassment; and Convention (No. 177) on Home Work • The Vietnamese government must review and amend laws/policies pertaining to gender equality in the workplace, pay, care, parenthood, pensions, retirement; initiatives in relation to women on corporate boards; policies and programmes on pay equity and care economy/work beyond legislation; policies and programmes on preventing and combating sexual harassment in the workplace 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA - NCFAW - MPI <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women’s Union - Advocacy groups
	Recognize and remove the barriers faced by women in the workplace	<ul style="list-style-type: none"> • Motivate businesses to develop and implement action plans/ programmes/activities to promote gender equality in the workplace, including: Pay equity policies; Workplaces free from gender-based discrimination; Ensure fair measures are in place for the protection of pregnant workers and that there are maternity and paternity policies; Implement gender-sensitive recruitment and retention practices; Assure participation of women at all levels of decision-making; Offer flexible work options; support access to child and dependent care; and preventing 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA/DOLISA - NCFAW - MPI <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women’s Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups

		<p>and combating sexual harassment in the workplace and support policies/ mechanisms to address domestic intimate partner violence (IPV)</p>	
		<ul style="list-style-type: none"> • Recognize and remove the barriers faced by women in the workplace by promoting equality in access to safe, decent, formal work. • Leaders' strong commitment to the formulation and implementation of policies/ action plans/programmes/ activities to promote gender equality in the workplace of the enterprises; commitments to allocate sufficient resources for mainstreaming gender into enterprise policies and procedures; undertake an inspection and evaluation of the implementation of gender equality policies/plans. • If necessary, measures to promote gender equality in the enterprises such as: (i) Define the proportion of women out of the total number of beneficiaries of policies/ action plans/programmes/activities to promote gender equality in the workplace; (ii) Training policies/ plans should shift its approach from conventional mass training to customized training to meet actual demand based on a careful needs assessment of men and women, age, marital status, with special attention to groups of pregnant and nursing women; (iii) Prioritizing women in the selection of training courses and the time of training; supporting women by contributing to the costs of bringing their children of under two years of age (breastfed) during the training period. 	
		<ul style="list-style-type: none"> • Communication to change perceptions of leaders and employees in enterprises with respect to gender stereotypes in the recruitment and use of workers; gradually removing the concept of 'female preference occupations' and 'male preference occupations.' Ensure women's 	

		<p>participation in training programs/ courses in the fields of technology and automation.</p>	
	<p>Incentivize companies/ employers to implement policies, practices and programmes to support families to fulfil care responsibilities</p>	<ul style="list-style-type: none"> Financial incentives for employers, who support their employees' childcare service needs, must be maintained. The support should be seen as a business cost, and eligible for a deduction from corporate income tax obligations. Apart from financial incentives, social recognition should also be addressed. Encourage employers to cooperate with NGOs, UN agencies, experts but also enterprises who can develop new models and build the capacity of HR and Diversity & Inclusion professionals to address the care-responsibilities of their employees. (E.g. support care-entrepreneurship to deliver employer-supported care models) 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MOF <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups
	<p>Promote companies/ employers to prevent and combat sexual harassment in the workplace</p>	<ul style="list-style-type: none"> The Viet Nam Government should ratify the Convention C190 on Violence and Harassment as soon as possible. To develop a guideline or Code of Conduct on Sexual Harassment in the Workplace. The Code provides definitions and guidance to employers, employers' organizations, workers and trade unions on policies and procedures to be put in place to effectively prevent and address sexual harassment in the workplace in accordance with the Labour Code. Employers and representative organizations of employees need to develop confidential, anonymous grievance reporting system and non-retaliation mechanisms and procedures to address and respond to incidents of violence and sexual harassment in the enterprise and domestic violence and IPV. Raising awareness and changing attitudes is also essential to highlight the harmful effects of sexual harassment at the workplace and any form of violence occurring beyond the workplace. 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MOF <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups

	<p>Promote a work-life balance between men and women workers and to ensure the safety and wellbeing of all workers in enterprises.</p>	<ul style="list-style-type: none"> A two-pronged strategy should be pursued with the aim of promoting the provision of public care services, including childcare and elder care services, and mainstreaming key interventions to enable the recognition, reduction and redistribution of unpaid care work into public sector policies and programs. 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MPI <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups
		<p>At the enterprise level:</p> <ul style="list-style-type: none"> Leadership's support to promote work-life balance for men and women which includes allocating resources for exercising work-life balance, promotion policies, and solutions. Conduct gender mainstreaming to formulate and implement policies/plans on employment and welfare benefits to meet workers' needs and aspirations, contributing to the development of a harmonious working environment. Criteria for the approval of gender-responsive policies/plans on employment and welfare benefits: (i) Ensuring the meaningful participation of women/women representatives in decision making; (ii) Guaranteeing a budget allocation for mainstreaming gender equality into policies/plans. Factories to coordinate with grassroots trade unions and receive technical and financial support from enterprises, customers, domestic and international agencies/ organizations: (i) Apply solutions to improve the working environment, ensuring security, safety, addressing the specific need for male and female workers. Specifically: arranging breast feeding and extracting milk and storage rooms; supporting crèches, kindergartens 	<ul style="list-style-type: none"> - Enterprises/ Employers - CFAW - Grassroot Trade Union.

		<p>for workers' children; accommodating resting spots/spaces, libraries, canteens, convenience stores, and an automated teller machine (ATM) based on the workers' needs and a factories' actual conditions; (ii) organize communication, training, collective activities, team building activities to improve the knowledge and skills of workers about healthcare, reproductive and sexual health care, breastfeeding skills; sexual harassment in the workplace and IPV; and work-life balance skills.</p>	
	<p>Raise awareness of changing social norms of care work, occupation, and employment.</p>	<ul style="list-style-type: none"> • Raising society's awareness of the value of unpaid care work, its significance, and links to development through communication campaigns and engagement with media. • Changing social norms remains crucial to promote shared responsibilities between women, girls and men and boys at home, together with policy advocacy for reducing and redistributing unpaid care work among stakeholders in both the public and business sector <hr/> <ul style="list-style-type: none"> • Eliminate gender stereotypes in the education and training system that stream young people into gender segregated, 'suitable' fields of occupations, and greatly increase the coverage of labour-market oriented technical training for all workers. 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MPI - MOET <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups
	<p>Specify the responsibility of companies for collecting data and mandatory reporting</p>	<p>Specify the responsibility of companies for collecting data and mandatory reporting on:</p> <ul style="list-style-type: none"> • percentage of new hires who are women; percentage of employees promoted who are women. • Retention rate of employees that took parental leave, disaggregated by gender. • Ratio of the basic salary and remuneration of women to men for each employee category, by significant locations of operation. 	

		<ul style="list-style-type: none"> Has confidential, anonymous grievance resolution and non-retaliation mechanisms and procedures to address and respond to reports and incidents of violence and harassment 	
THEME C: EQUITABLE PROCUREMENT PRACTICES	<p>Raise awareness of the business case for GRP</p>	<ul style="list-style-type: none"> The Vietnamese government must adopt a national definition of GRP. The concept of GRP is relatively less known or utilized in Viet Nam, therefore the country should use the broad United Nations definition, which is 'The sustainable selection of goods, services, or civil works that take gender equality and women's empowerment into account.' This definition is founded on international standards, agreements, and principles relevant to improving gender-responsive working conditions and essential for upholding women's basic rights in the supply chain. 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MPI - MOET <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups
	<p>Collect sex-disaggregated data to track and monitor</p>	<ul style="list-style-type: none"> Align with internationally recognized definitions of WOB and to agree to a national definition The Vietnamese government must collect sex-disaggregated data in order to identify and track the proportion of WOBs that are awarded public-sector contracts. The Vietnamese Government should set-up a sex-disaggregated SME database, including certification of WOBs and make this available to public- and private-sector buyers to catalyze more access to WOB suppliers and invite them to tender bids. The Vietnamese Government could require suppliers to provide such basic descriptive statistics and information through government procurement systems. By having such data available, government procurement processes can benefit from increased transparency and use the information gathered to promote inclusion and diversity in the pool of potential contractors. 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MPI - MOET <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups

		<ul style="list-style-type: none"> The Vietnamese government could also require all registered companies to provide basic sex-disaggregated data (i.e. including number of female employees, women in board and leadership, management etc.) to ensure private and public buyers factor this information into their buying decisions 	
	<p>Include provisions in procurement laws to enable GRP</p>	<ul style="list-style-type: none"> The Vietnamese government must adopt key strategies for making public procurement more inclusive. The strategies include e-procurement systems, building capacity for WOBs to bid on government contracts, establishing WOB certification, and simplifying administrative procurement processes. The government can clarify the ability of buyers to use preferential treatment methods to facilitate WOB participation through specific GRP legislation. The Vietnamese government must review and amend Laws/regulations regarding gender differences in access to finance and owning a business. 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MPI - MOET <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups
	<p>Solutions to promote GRP in business sector</p>	<ul style="list-style-type: none"> Companies and government agencies can increase the number of WOBs in their procurement schemes by: (i) Setting a target amount for procurement spending per year, along with other forms of preferential treatment, such as gender-responsive clauses in supplier codes of conduct; (ii) Regular spot-checks, audits, and reporting on gender in supply chains; (iii) Building the capacity of suppliers to upgrade their facilities; (iv) Incorporating policies and approaches to ensure female workers have healthy and safe working environments, and therefore contribute to the establishment of more gender-responsive businesses, regardless of the gender of the owner. 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MPI - MOET <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups

		<ul style="list-style-type: none"> • Access to procurement opportunities and tender documentation can be improved by establishing gender responsive e-procurement systems. Such systems are essential to simplify suppliers' ability to find and collect information on bidding. Increased transparency facilitates planning, saves time and costs for potential suppliers, and increases the quality of bids. This is especially important for small businesses—which include the majority of WOBs. 	
		<ul style="list-style-type: none"> • Bid specifications need to be formulated to ensure that WOBs can be systematically integrated into existing procurement processes. The bid process provides opportunities to strengthen gender aspects in all stages, collect sex-disaggregated data on businesses and supply chains, and ensure use of criteria that do not hinder WOB participation. WOB-specific and certified WOBs databases can be used to ensure that bid material reaches specific groups of WOBs and helps them compensate for their limited experience in financial and bid processes. Preferential payment periods can help to address the structural financial exclusion of WOBs. 	
		<ul style="list-style-type: none"> • Develop match-making opportunities (i.e. market-place fairs, outreach campaigns targeted to WOBs etc.) to facilitate future business relationships between WOBs themselves and WOBs and other businesses 	
		<ul style="list-style-type: none"> • Company procurement department staff need to be aware of the importance of GRP and to have clear guidelines, training and continued support to implement them. 	

		<ul style="list-style-type: none"> To build WOBs' capacities and help them grow their businesses, especially in the high-spending procurement areas where they are under-represented, governments and the private sector should help address the digital and financial gender divides through capacity-building programmes targeted to women entrepreneurs. 	
	<p>Incentivize the business sector companies to report publicly on gender indicators and disclose their diversity and inclusion policies</p>	<ul style="list-style-type: none"> The Vietnamese governments, industry bodies, regulators and companies themselves should encourage alignment with WEPs recommendations, encourage the use of the WEP Transparency and Accountability Framework, and advance company reporting to track and advance gender-responsive business conduct. Indicators should be looking at the overall company level and highlight essential indicators for progress towards gender inclusiveness.⁶⁷ 	
		<ul style="list-style-type: none"> Increased reporting is needed on how companies are advancing their procurement spending through WOBs and GREs. <p>Key GRP measures to report are:</p> <ul style="list-style-type: none"> (i) Procurement spending on WOBs; (ii) Spending with businesses that have gender equality commitments; and (iii) The level of workers in supply chains who receive a living wage, disaggregated by sex. 	
		<ul style="list-style-type: none"> Procurers in the private and public sector should include monitoring of progress on GRP in procurement sustainability reporting systems. Based on these commitments, suppliers can be held accountable. Contract renewal can include an assessment of suppliers' progress on implementing contract criteria. If necessary, this can then lead to remediation measures or, if unsuccessful, contract termination. 	

67 Women's Empowerment Principles. WEPs Accountability and Transparency Framework. <https://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2021/03/210323wepsmeguidance2a.pdf?la=en&vs=3150>

		<ul style="list-style-type: none"> Strengthening the capacities of business support organizations, entrepreneurship, business associations and other NGOs to understand GRP and provide capacity building to public and private buyers and WOBs and other ecosystem players 	
THEME D: BUSINESS ACCOUNT- ABILITY AND REPORTING FOR GENDER EQUALITY AND IMPACT	<p>The Law on Gender Equality must regulate the responsibilities of employers in business sectors on reporting and accountability on gender equality</p>	<p>In the upcoming amendment of the Law on Gender Equality, it is necessary to ensure there are:</p> <ul style="list-style-type: none"> regulations on the responsibilities of employers in business sectors in providing information and periodic reports on the implementation of policies towards female workers and ensuring gender equality in enterprises; regulations on government reporting on gender equality in the business sector. 	<p>Government</p> <ul style="list-style-type: none"> - MOLISA, DOLISA - NCFAW - MPI - MOET <p>Non-Government/ Other Stakeholders</p> <ul style="list-style-type: none"> - VCCI - VGCL - Women's Union - Enterprises/ Employers - CFAW - Grassroot Trade Union - Advocacy groups
	<p>Enact business reporting for gender equality</p>	<ul style="list-style-type: none"> Develop business incentives and mandates for companies: <ul style="list-style-type: none"> To make company policies public for gender equality To report on the WEPs essential gender indicators* and relevant complementary indicators⁶⁸ to create accountability towards more gender-inclusive companies and supply chains. These incentives may include awards or other recognition for reporting companies and linkages to investors and donors with an ESG or gender lens. Mandate publicly listed companies as part of their environmental, social and corporate governance (ESG) reporting to incorporate gender-indicators (as described in the WEPs transparency and Accountability Framework) and work with Stock Exchanges to provide support in implementation and reporting 	

	<p>Collect gender-related indicators from business sector</p>	<ul style="list-style-type: none"> • Collect gender-related indicator data from the business sector and analyse the data to identify gender gaps that can be improved. • In coordination with relevant ministries and departments, collect sex-disaggregated data from MSMEs. 	
	<p>Encourage enterprises to join programs to promote gender equality such as WEPs.</p>	<ul style="list-style-type: none"> • Encourage the uptake of the WEPs Gender Gap Analysis Tool (WEPs Tool)⁶⁹, which is a business-driven tool designed to help companies to assess gender equality performance across the workplace, marketplace, and community. Results are provided in a concise and clear format so companies can easily identify areas for improvement and can constitute inputs for company reports on gender equality and women's empowerment. The tool is a free, user-friendly, and confidential online platform. 	
	<p>Build gender-responsive governance at enterprises: Gender equality principles should be translated into actions to address gender issues in the enterprises</p>	<p>Encourage enterprises to establish a Committee for the Advancement of Women (CAW) or an apparatus working on gender equality in their organizations The officer(s) in charge of gender equality (GE) with specific tasks/responsibilities should be assigned a job description. Conduct a performance evaluation of the CAW's members/gender focal point unit/staff(s) endeavours periodically (every six months, annually), equivalent to other professional tasks.</p>	<p>Government - MOLISA, DOLISA - NCFW - MPI - MOET Non-Government/ Other Stakeholders - VCCI - VGCL - Women's Union - Enterprises/ Employers - CAW - Grassroot Trade Union - Advocacy groups</p>
	<p>Encourage enterprises to formulate annual action plans on gender equality</p>	<p>It is necessary to have commitments from the senior management of enterprises to implement the action plans on gender equality. It is necessary to establish a monitoring-evaluation system (M&E) with SMART indicators to oversee progress and evaluate the interventions taken to tackle gender-specific issues at the enterprises in business sector.</p>	

69 <https://weps-gapanalysis.org/>

ANNEX 1.

WEPs Country Policy Assessment Table: Viet Nam



ASEAN member state performance was assessed on each of the selected indicators determined the WEPs mapping criteria ensuring that the requirements are relevant to the levers of change. While specific assessment criteria have been defined for each of the WEPs, the conditions always follow a three-tier rating system:

-  **Prioritize:** Country has multiple laws that do not contain a gender-lens or are not gender-responsive and has not ratified numerous international conventions. The country needs to 'PRIORITIZE' taking more action and is an area of high opportunity for improvement towards achieving positive change towards gender equality.
-  **Deepen:** Country has not ratified some international conventions and has a few laws that treat women and men differently and exacerbate gender inequalities. The country needs to 'DEEPEN' its actions to achieve change towards gender equality.
-  **Sustain:** Country should 'SUSTAIN' its actions and is an area of low opportunity for improvement. Where indicated, the country should strengthen the implementation of respective International Conventions and national policies, initiatives, and laws to promote gender equality.

WEP	Key country outcomes	
1	Number of companies that are WEPs signatories	120
2	% board seats held by women in 2017 ⁷⁰	25%
	% labour force participation rate (ages 15 and older) in 2020 ⁷¹	W: 68.6% M: 79.1%
	Wage equality for similar work score in 2020 ⁷²	0.729
3	% women who experience violence in their lifetime in 2019 ⁷³	26.1%
4	% professional and technical workers in 2020 ⁷⁴	W: 52.7% M: 47.3%
5	% of a firm with a top female manager in 2020 ⁷⁵	29.9%
	% women with transaction account at a financial institution/ MSP in 2017	30%

Gender Index Rankings	
UNDP Gender Inequality Index 2019 score and rank out of 189 countries	0.296 (Rank 65)
World Economic Forum (WEF) - Global Gender Gap Index 2021 score and rank out of 156	0.701 (Rank 87)
World Economic Forum (WEF) - Economic Participation and Opportunity 2021 score and rank out of 156	0.765 (Rank 26)
Women, Business and the Law Index 2021 score ⁷⁶	81.9/100

70 https://image-src.bcg.com/Images/BCG-Moving-Toward-Gender-Diversity-SEA-Sep-2017_tcm93-177639.pdf

71 GSO, 2020. Viet Nam Labour Force Survey in 2020.












72 The World Economic Forum's wage equality is scored from 0-1, where 1 represents equal pay between women and men who are working in a similar position.






73 MOLISA, GSO, and UNFPA (2020). Results of the National study on violence against women in Viet Nam 2019.

74 WEF, 2021. Global Gender Gap Report 2021

75 Data provided by The Agency for Business Registration, Ministry of Planning and Investment on December 31, 2020

76 <https://wbi.worldbank.org/content/dam/documents/wbi/2021/snapshots/Vietnam.pdf>

WEP	Assessment Area	Assessment	Policy Developments/ Updates (2019-2021)
1	CEDAW & ASEAN Gender Commitments		The Government issued Decision No. 1957/QĐ-TTg dated November 30, 2020, approving the Implementation plan of the ASEAN Convention on preventing and combatting trafficking in persons, especially women and children.
	Gender-responsive budgeting		
2	Women on boards legislation or policies		Resolution No. 28/NQ-CP of the Government dated March 3, 2021, promulgating the National Strategy on Gender Equality for the period 2021-2030
	Parental and family protection conventions		
	Laws on work, pay, parenthood, and pensions		The National Assembly promulgates the Labor Code 2019
	Programmes on pay equity and support for caregivers		Resolution No. 28/NQ-CP of the Government dated March 3, 2021, promulgating the National Strategy on Gender Equality for the period 2021-2030
3	Ratification of Violence & Harassment Convention/ Legislation on Sexual Harassment in Employment		The National Assembly promulgates the Labor Code 2019
	Ratification of ILO Fundamental Conventions/ Focal Point MNE Declaration		National Assembly ratification of ILO Convention 98 on the Right to Organise and Collective Bargaining on June 14, 2019
4	Programmes for women in STEM and technical workers		
5	Gender-responsive procurement		
	Gender in the National Financial Inclusion strategy		On January 22, 2020, the Government approved the National Comprehensive Financial Strategy to 2025 and the vision to 2030. Women are the target of this strategy.

	Laws on access to resources, assets, and financial services		Decree No. 80/2021/ND-CP dated August 26, 2021, detailing and guiding the implementation of several articles of the Law on Support for Small- and Medium-sized Enterprises: prioritized targets include small and medium-sized enterprises owned by women, and small and medium-sized enterprises having a higher female share in employment
	Gender stereotype policy or strategy		Resolution No. 28/NQ-CP of the Government dated March 3, 2021, promulgating the National Strategy on Gender Equality for the period 2021-2030
	ASEAN SME Policy Index – Inclusive entrepreneurship for women score		
6	Multi-stakeholder partnerships to promote gender equality in the private sector		On October 29, 2020, CARE, Mastercard, VPBank, WISE, and Canal Circle announced the Ignite initiative in Viet Nam – a new partnership focused on promoting the empowerment of women entrepreneurs.
7	WEPs reporting mandates		

ANNEX 2.

WEPs Country Public Policy Roadmap

WEP Indicators	Viet Nam
1. High-level corporate leadership	
International gender commitments	
The Convention on the Elimination of All Forms of Discrimination Against Women	Y
ASEAN The Declaration on the Elimination of Violence Against Women and Elimination of Violence Against Children in ASEAN, 2013	Y
Ha Noi Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children, 2010	Y
ASEAN Declaration on the Gender-Responsive implementation of the ASEAN Community vision 2025 and Sustainable Development Goals, 2017	Y
Gender-responsive budgeting	
Does the country have gender-responsive budgeting legislation?	Y
Does the country have a gender-responsive budgeting national plan/strategy?	N
Does the country have gender-responsive budgeting directives or guidelines?	N
2. Treat all women and men fairly at work – respect and support human rights and non-discrimination	
Women on boards legislation or policies	
Are there any enforceable policies/initiatives with a specific target or quota for promoting women on corporate boards? Parental and family protection conventions	N
C183 - Maternity Protection Convention, 2000 (No. 183)	N
C156 - Workers with Family Responsibilities Convention (No. 156) and Recommendation (No. 165), 1981	N
Does the country have a National Action Plan (NAP) on Business and Human Rights that includes specific objectives or actions to promote gender equality?	N

Laws on pay, employment, parenthood, and pensions	
Can a woman get a job in the same way as a man?	Y
Does the law prohibit discrimination in employment based on gender?	Y
Does the law mandate equal remuneration for work of equal value?	Y
Can women work in jobs deemed dangerous in the same way as men?	Y
Are women able to work in the same industries as men?	Y
Is paid leave of at least 14 weeks available to mothers?	Y
Is the dismissal of pregnant workers prohibited?	Y
Is paid leave available to fathers?	Y
Is there paid parental leave?	Y
Does the government administer 100% of maternity leave benefits?	Y
Does the country have a policy framework regarding menstruation and women in the workplace?	Y
Are the ages at which men and women can retire with full pension benefits equal?	N
Are the ages at which men and women can retire with partial pension benefits equal?	N
Programmes on pay equity and care work	
The country has a specific national initiative, programme, or strategy beyond legislation for promoting pay equity.	N
The country has a national care work (i.e., childcare/senior care) initiative, programme, or strategy with the explicit objective to promote women's labour force participation and/or promote gender equality in caregiving.	N
3. Employee health, well-being, and safety	
Ratification of C190 Violence and Harassment Convention	
C190 - Violence and Harassment Convention, 2019 (No. 190)	N
Legislation on Sexual Harassment in Employment	
Is there legislation on sexual harassment in employment?	Y
Are there criminal penalties or civil remedies for sexual harassment in employment?	Y

Ratification of ILO Fundamentals and National Focal Point for MNE Declaration	
ILO Fundamental Conventions	N
Has the country appointed a National Focal Point for the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy?	TBD
4. Education and training for career advancement	
Programmes for women in STEM and technical workers	
Presence of professional development programs targeted at women in leadership or in non-traditional vocations (e.g., women in STEM in CEDAW)	Y
Presence of professional development programs targeted at women in leadership or in non-traditional vocations (e.g., women in STEM) in Decent Work Programme.	N
5. Enterprise development, supply chain, and marketing practices	
Gender-responsive procurement	
Legislation or programs regarding supplier diversity or gender-responsive procurement?	N
Gender in national financial inclusion strategy	
Does the country have a National Financial Inclusion Strategy?	N
Does the Financial inclusion Strategy have activities or objectives seeking to support gender equality?	Y
Do the Financial inclusion Strategy mention women and gender-inclusive target/ data reporting in the financial inclusion strategy?	N
Laws on access to resources, assets, and financial services	
Does the law prohibit discrimination in access to credit based on gender?	Y
Does the law grant equal ownership over immovable assets (property rights)?	Y
Can a woman register a business in the same way as a man?	Y
Can a woman open a bank account the same way as men?	Y
Can a woman sign a contract in the same way as a man?	Y
Gender stereotype policy or strategy	
Does the country have gender stereotypes, anti-bullying, or another type of gender policy or strategy that seeks to change gender norms in the private sector?	N

ASEAN SME Policy Index	
ASEAN SME Policy index - inclusive entrepreneurship for women score	2.55
6. Community initiatives and advocacy	
Multi-stakeholder partnerships to promote gender equality in the private sector	
Does the country have a national private sector partnership of high-level stakeholders to promote gender equality and women's empowerment in companies?	Y
Does the country have a multi-stakeholder partnership of high-level actors to promote gender equality in companies or women's entrepreneurship?	Y
7. Measurement and reporting	
WEPs reporting indicators	
Does the country have a public sector mandate that requires companies to report on the percentage of women on boards?	N
Does the country have proactive and wage transparency laws and measures to address the discriminatory pay gap (including any other measures to address the undervaluation of women's work)?	Y
Does the country mandate reporting on WEPs Essential Reporting indicators related to equal opportunity in the workplace, parental leave, or sexual harassment?	N

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**United Nations Entity for Gender Equality and the
Empowerment of Women (UN Women)**

Viet Nam Country Office
304 Kim Ma Street, Ba Dinh District, Hanoi, Viet Nam

Tel: +84 24 3850 0100

Fax: +84 24 3726 5520

<http://vietnam.unwomen.org>