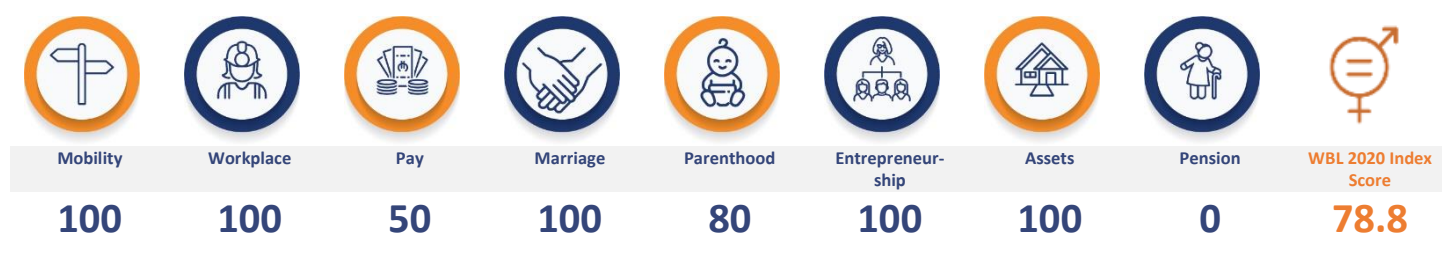


Vietnam

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Ho Chi Minh City). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Vietnam scores 78.8 out of 100**. The overall score for Vietnam is higher than the regional average observed across East Asia & Pacific (71.3).

Vietnam - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, constraints on women's starting and running a business, and gender differences in property and inheritance, Vietnam gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, laws affecting women's work after having children, and laws affecting the size of a women's pension, Vietnam could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Vietnam is on the indicator related to laws affecting the size of a women's pension (the WBL2020 Pension Indicator). To improve on the Pension Indicator, Vietnam may wish to consider equalizing the ages at which men and women can retire with full pension benefits, equalizing the ages at which men and women can retire with partial pension benefits, equalizing the mandatory retirement age for men and women, and accounting for periods of absence from work due to childcare in pension benefits.

Recent Reforms (2018-2019)

No reforms impacting the WBL2020 indicators have been observed during the past two years.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Decree No. 136/2007/ND-CP on Vietnamese Citizens Exit and Entry, Arts. 2 and 15; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Code, Art. 8
	Is there legislation on sexual harassment in employment?	Yes	Labor Code, Arts. 8(2) and 183(1)
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Labor Code, Art. 239 <i>Civil:</i> Labor Code, Arts. 8(2), 37(c), 183(1) and 239
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Labor Code, Art. 90(3)
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	No	Jobs deemed hazardous: Labor Code, Art. 160; Circular No. 26/2013/TT-BLDTBXH, Lists Part A-I-28 Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	No	Mining: Labor Code, Art. 160(3) Construction: Circular No. 26/2013/TT-BLDTBXH, Lists Part A-I-19; Labor Code, Art. 160 Factories: Circular No. 26/2013/TT-BLDTBXH, Lists Part A-I-32 Agriculture: Circular No. 26/2013/TT-BLDTBXH, Lists Part A-I-34; Labor Code, Art. 160 Energy: Circular No. 26/2013/TT-BLDTBXH, Lists Part A-I-8; Labor Code, Art. 160 Water: Circular No. 26/2013/TT-BLDTBXH, Lists Part A-II-36; Labor Code, Art. 160 Transportation: Circular No. 26/2013/TT-BLDTBXH, Lists Part A-I-26 and 30; Labor Code, Art. 160 Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Penal Code, Art. 151; Law on Domestic Violence Prevention and Control No. 02/2007
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Code, Art. 157; Law on Social Insurance, Art. 34
	Does the government pay 100% of maternity leave benefits?	Yes	Law on Social Insurance, Arts. 3 and 4
	Is there paid paternity leave?	Yes	Law on Social Insurance, Art. 34
	Is there paid parental leave?	No	No applicable provisions could be located
Entrepreneurship	Is dismissal of pregnant workers prohibited?	Yes	Labor Code, Art. 155(3)
	Does the law prohibit discrimination in access to credit based on gender?	Yes	Law on Gender Equality, Arts. 10 and 12
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	Business Registration Rules of 2019
Assets	Can a woman open a bank account in the same way as a man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Law on Marriage and Family No. 52/2014/QH13, Arts. 29 and 33
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Arts. 632 and 676(1)
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Law on Marriage and Family No. 52/2014/QH13, Art. 66
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Law on Marriage and Family No. 52/2014/QH13, Arts. 29, 35 and 36
Pension	Does the law provide for the valuation of nonmonetary contributions?	Yes	Law on Marriage and Family No. 52/2014/QH13, Art. 59
	Are the ages at which men and women can retire with full pension benefits equal?	No	Women: Labor Code, Art. 187; Law on Social Insurance of 2 November 2014, Art. 54 Men: Labor Code, Art. 187; Law on Social Insurance of 2 November 2014, Art. 54
	Are the ages at which men and women can retire with partial pension benefits equal?	No	Women: Law on Social Insurance of 2 November 2014, Art. 56(3) Men: Law on Social Insurance of 2 November 2014, Art. 56(3)
	Are the mandatory retirement ages for men and women equal?	No	Women: Labor Code, Arts. 36 and 187 Men: Labor Code, Arts. 36 and 187
	Are periods of absence due to child care accounted for in pension benefits?	No	No applicable provisions could be located