

Vietnam

Women, Business and the Law 2023 (WBL2023) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across 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 88.1 out of 100**. The overall score for Vietnam is higher than the regional average observed across East Asia and the Pacific (72.6). Within the East Asia and the Pacific region, the maximum score observed is 91.9 (Hong Kong SAR, China).

Vietnam - Scores for Women, Business and the Law 2023



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's pay, constraints related to marriage, constraints on women 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 work after having children, and laws affecting the size of a woman'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 measuring laws affecting the size of a woman's pension (the WBL2023 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, and equalizing the mandatory retirement age for men and women.

Recent Reforms

No reforms were observed during the past year (October 2nd, 2021 – October 1st, 2022).



Further data details for Vietnam are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/vietnam/2023>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Law No. 68/2020/QH14 on Residence, Art. 4; Law on Marriage and Family, Art. 20
	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	Law on Exit and Entry of Vietnamese Citizens No. 49/2019/QH14, Art. 14; 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	Law on Marriage and Family, Art. 23
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Code, Arts. 3(8) and 8(1)
	Is there legislation on sexual harassment in employment?	Yes	Labor Code, Arts. 3(9), 5(1)(a), 6(2)(d), 8(3), 35(2)(d), 118(2)(d), 125(2), 164(4) and 165(1); Decree No. 145/2020/ND-CP, Arts. 69(2)(d) and 84-86
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Labor Code, Art. 217(1) <i>Civil:</i> Labor Code, Art. 217(1)
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Labor Code, Art. 90
	Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Law on Marriage and Family, Art. 17
	Can a woman be head of household in the same way as a man?	Yes	Law on Residence No. 68/2020/QH14, Art. 10(4)
	Is there legislation specifically addressing domestic violence?	Yes	Penal Code, Art. 185; Law on Domestic Violence Prevention and Control
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Law on Marriage and Family, Art. 51
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. 139; Law on Social Insurance 2014, Art. 34
	Does the government pay 100% of maternity leave benefits?	Yes	Law on Social Insurance 2014, Arts. 3 and 4
	Is paid leave available to fathers?	Yes	Law on Social Insurance 2014, Arts. 34 and 39
Entrepreneurship	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Labor Code, Art. 137(3)
	Does the law prohibit discrimination in access to credit based on gender?	Yes	Law on Gender Equality No. 73/2006/QH11, Arts. 10 and 12(1)
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
Assets	Can a woman register a business in the same way as a man?	Yes	Circular No. 02/2019/TT-BKHDT on Business Registration Rules; Law on Enterprises No. 59/2020/QH14
	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, Arts. 29 and 33
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Arts. 632, 635 and 651
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Law on Marriage and Family, Art. 66; Civil Code, Art. 610
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Law on Marriage and Family, Arts. 29, 35 and 36
Pension	Does the law provide for the valuation of nonmonetary contributions?	Yes	Law on Marriage and Family, Art. 59(2)
	Is the age at which men and women can retire with full pension benefits the same?	No	Decree No. 135/2020/ND-CP, Art. 4
	Is the age at which men and women can retire with partial pension benefits the same?	No	Law on Social Insurance 2014, Art. 56(3)
	Is the mandatory retirement age for men and women the same?	No	Labor Code, Arts. 36 and 169
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Law on Social Insurance 2014, Art. 39(2)	