










# Viet Nam

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>85.0</b>	<b>45.8</b>	<b>83.8</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Viet Nam, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Ho Chi Minh City). The scores for Viet Nam are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	75.0	100.0	100.0	100.0	100.0	100.0	100.0	50.0	100.0	25.0
Supportive frameworks score	50.0	66.7	0.0	0.0	66.7	66.7	25.0	66.7	66.7	50.0
Expert opinions score	75.0	100.0	81.3	75.0	81.3	100.0	50.0	100.0	75.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Viet Nam (85.0 out of 100.0) is higher than the global average (64.2) and higher than the East Asia & Pacific regional average (57.8). 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, laws affecting women's work after having children, laws affecting childcare and laws affecting women's property and inheritance, Viet Nam obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Viet Nam is on the indicator measuring laws affecting the size of a woman's pension. To improve on the Pension indicator, Viet Nam 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.

The **WBL 2.0 supportive frameworks score** for Viet Nam (45.8 out of 100.0) is higher than the global average (39.5) and higher than the East Asia & Pacific regional average (33.9). Viet Nam does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest

scores for Viet Nam is on the indicator measuring supportive frameworks affecting women's decisions to work. To improve on the Workplace indicator, Viet Nam may wish to consider publishing guidelines on non-discrimination based on gender in recruitment, publishing guidelines on flexible work arrangements and establishing a specialized body that receives complaints about gender discrimination in employment.

The **WBL 2.0 expert opinions score** for Viet Nam (83.8 out of 100.0) is higher than the global average (65.7) and higher than the East Asia & Pacific regional average (64.8). When it comes to expert opinions on freedom of movement, expert opinions on women's work after having children, expert opinions on women starting and running a business and expert opinions on women's pensions, Viet Nam obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Viet Nam is on the indicator measuring expert opinions on childcare.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Law No. 13/2022/QH15 on Domestic Violence Prevention and Control, Arts. 2.1, 3.1(a)(b)(c)(i)(n)(o), and 25-27; Penal Code, Arts. 134(1)(g) and 185
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	Yes	Labor Code, Arts. 3(9), 5(1)(a), 6(2)(d), 8(3), 35(2)(d), 118(2)(d), 125(2), 164(4), 165(1), and 217(1); Decree No. 145/2020/ND-CP, Arts. 69(2)(d) and 84-86; Decree No. 15/2020/ND-CP, Art. 102.3(g)
Is there legislation on child marriage?	Yes	Law on Marriage and Family, Arts. 3.6, 8(1)(a), and 10.2; Penal Code, Art. 183; Decree No. 82/2020/ND-CP, Art. 58
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Law on Exit and Entry of Vietnamese Citizens No. 49/2019/QH14, Art. 14
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
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Law on Vietnamese Nationality No. 24/2008/QH12, Art. 15 and 19
<b>Workplace</b>		
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)
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Labor Code, Arts. 3(8) and 8(1)
Does the law allow employees to request flexible work?	Yes	Labor Code, Art. 135(2)
<b>Pay</b>		
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 an industrial job 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
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Law on Residence No. 68/2020/QH14, Art.10(4)
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 obtain a judgment of divorce in the same way as a man?	Yes	Law on Marriage and Family, Art. 51
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Code, Art. 139; Law on Social Insurance 2014, Art. 34
Are leave benefits for mothers paid solely by the government?	Yes	Law on Social Insurance 2014, Arts. 3 and 4
Is there paid leave available to fathers?	Yes	Law on Social Insurance 2014, Arts. 34 and 39
Is dismissal of pregnant workers prohibited?	Yes	Labor Code, Art. 137(3)
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Education Law No. 43/2019/QH14, Arts. 6, 26, 27 and 47; Decree No.115/2010/ND-CP, Art. 7(1)(b); Circular No. 52/2020/TT-BGDDT, Arts. 4 and 6
Does the law establish any form of support to families for childcare services?	Yes	Decree No. 145/2020/ND-CP, Art. 81(3); Decree No. 105/2020/ND-CP, Art. 8; Decree No. 81/2021/ND-CP, Arts. 8(4)(c) and 18
Does the law establish any form of support to non-state childcare providers?	Yes	Law No. 43/2019/QH14, Art. 103; Circular No. 6/2018, Arts. 4 and 20; Decree 145/2020/ND-CP, Arts. 81 and 83(1); Decree 105/2020/ND-CP, Arts. 5-6; Law on Children No. 102/2-16/QH13, Art. 42; Enterprise Income Tax Law No. 14/2008, Arts. 4, 9(1)(a)(n) and 13(2); Circular No. 134/2007, Ch. III, Sec. 2.13(b)
Does the law establish quality standards for the provision of childcare services in center-based settings?	Yes	Joint Circular No. 06/2015/TT-BGDĐT-BNV, Arts. 1, 3(1) and 5(3)(4); Circular No. 49/2021/TT-BGDDT, Art. 14; Circular No. 52/2020/TT-BGDĐT, Arts. 15(1)(a) and 30; Law on Education No. 43/2019/QH14, Art. 72(1)(a); Circular No. 24/2018/TT-BGDDT, Art. 3
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Decree No. 01/2021/ND-CP on Business Registration Rules; Law on Enterprises No. 59/2020/QH14
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)
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Law on Marriage and Family, Arts. 29, 33, 35 and 36
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Arts. 632, 635 and 651
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Law on Marriage and Family, Art. 66; Civil Code, Art. 610
Does the law provide for the valuation of nonmonetary contributions?	Yes	Law on Marriage and Family, Art. 59(2)
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	No	Decree No. 135/2020/ND-CP, Art. 4
Are the ages at which men and women can retire with partial pension benefits equal?	No	Law on Social Insurance 2014, Art. 56(3)
Is the mandatory retirement age for men and women equal?	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)

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
Safety		

Has the government developed comprehensive mechanisms to address violence against women?	Yes	Code of Conduct on Sexual Harassment in the Workplace; State Legal Aid Centers; One-Stop Model to Support Women and Children experiencing Violence
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	The Ministry of Culture, Sports and Tourism
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	No	Insufficient evidence located
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport application form
Are the application processes for official identity documents the same for women and men?	Yes	ID application form
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	No	Insufficient evidence located
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	No	Insufficient evidence located
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Law No. 58/2020/QH14, Arts. 2 and 8
Are there specialized family courts?	Yes	The Code of Civil Procedure, Art. 36(2)
Is legal aid available for family law disputes?	No	Insufficient evidence located
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Decision No. 166/QĐ-BHXH, Art. 4; Law on Social Insurance 2014, Art. 101
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	Yes	General Statistics Office: Gender Statistics in Vietnam 2020
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Decree No. 81/2021/ND-CP, Art. 8; Decree No. 105/2020/ND-CP, Art. 8 and Appendix
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	No	Insufficient evidence located



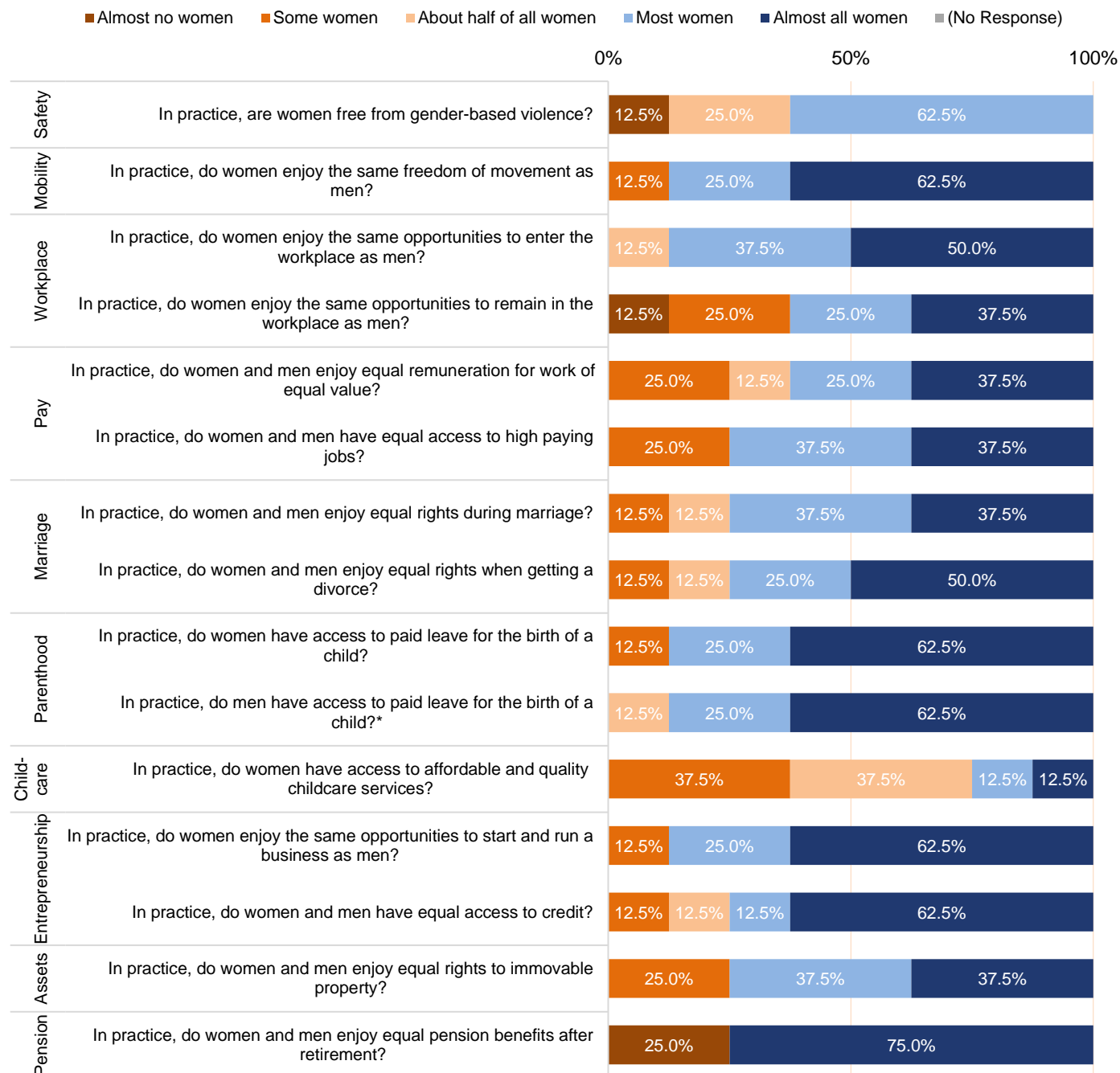
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Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	SME development fund
Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	The Prime Minister's Decision No.149/QD-TTG, incorporating Vietnam's National Financial Inclusion Strategy
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Law No. 52/2014/QH13 on Marriage and Family, Art. 31; Decree No. 126/2014/ND-CP, Art. 12; Land Law No. 45/2013/QH13, Art. 98.4
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	Yes	Statistics office: gender statistics
<b>Pension</b>		
Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Law on Social Insurance 2014, Arts. 118(1) and 119; Law on Complaints and Denunciations, Art. 33

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.