

# VIET NAM GENDER BRIEFING KIT 2016



### **FOREWORD**

Viet Nam has made great strides in promoting gender equality, largely driven by strong Government commitment. It is signatory to numerous international instruments addressing gender equality, women's rights, and women's empowerment, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). These provide a comprehensive framework for guiding all rights-based action for gender equality that states must take to eliminate discrimination against women. Viet Nam also adopted the Beijing Platform for Action, which sets a landmark global agenda for women's human rights, gender equality and women's empowerment, as well as the Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs). Gender equality is enshrined in the Constitution, and Viet Nam has successfully enacted policies and laws for the protection and promotion of women's rights.

Despite a favourable policy environment, discrimination against women and girls still persists across the country. Female foetuses are selectively aborted due to entrenched male child preference and women and girls are subject to discrimination throughout the rest of their life. Women have limited power in many spheres of life, both private and public including economic, social, civil and political. Moreover, women's wages are still lower than that of men, even with the same level of qualifications, and more women are engaged in informal and vulnerable work with little social protection. Women's representation in leadership and management remains low. They also face barriers in access and control over land and other forms of property, financial services, inheritance and natural resources. Like in many other countries, Vietnamese women and girls also still bear the disproportionate burden of unpaid care and domestic work. Also, they suffer from violence in different forms.

Broader and deeper international and regional economic integration and rising threats of climate change and natural disaster risks impacts on different groups of women and men in different ways, presenting new challenges to gender equality and women's empowerment in Viet Nam. This will require a holistic approach and more concerted effort to remove barriers that impede women's development and unleash their potentials.

Gender Briefing Kit 2016 is a snapshot of the current status of key gender and development issues in Viet Nam. In addition to capturing substantial progress made to promote women's human rights, it highlights outstanding and emerging challenges and concerns that require due attention to ensure sustainable and equitable development in manifold aspects of socio-economic life. It focuses on education, health and health care, economic empowerment, political participation and leadership, violence against women and social protection, climate change adaptation, and disaster risk management. It also brings to the attention of the readers the current gender data and statistics gaps as well as the disadvantages of some vulnerable groups including ethnic minority women and rural women. In addition to information on government policies relating to gender equality and women's empowerment and government structure to promote gender equality, the Kit also offers

a summarized profile of the collective work of the United Nations Country Team in partnership with other stakeholders contributing to gender equality in Viet Nam.

The new ambitious 2030 Agenda for Sustainable Development, adopted by United Nations Member States in September 2015 aims to build on and complement Millennium Development Goals (MDGs), addressing the root causes of poverty and inequality, and the universal need for development that works for all people. It reaffirms that gender equality is a primary goal in itself and a vital means for the achievement of other goals. In the long process towards realizing the vision of "getting to zero" where all forms of gender discrimination and inequality are eliminated, this Gender Briefing Kit is a timely aid for all stakeholders to understand the value of mainstreaming the gender perspective into all policies and programmes.

We hope this Gender Briefing Kit will serve as a useful reference document for government, development partners, non-governmental organizations as well as individuals engaged in the fields of gender equality and gender mainstreaming in Viet Nam to ensure that gender issues are addressed in the development process so that no one is left behind. We encourage you to join in this effort of promoting gender equality and women's empowerment for sustainable development and our common future.

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Convener of the UN Gender Joint Programming Group

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# LIST OF ACRONYMS AND ABBREVIATIONS

ASEAN Association of Southeast Asian Nations

CBDRM Community-based Disaster Risk Management

CCA Climate Change Adaptation

CEDAW United Nations Convention on the Elimination of All Forms of Discrimination

**Against Women** 

CEMA Committee for Ethnic Minority Affairs

CERD International Convention on the Elimination of All Forms of Racial Discrimination

CNDPC Committee for Natural Disaster Prevention and Control

CPR Contraception prevalence rate

CSO Civil society organization

DOLISA Department of Labour, Invalids and Social Affairs

DRM Disaster risk management

DRR Disaster risk reduction

DVPC Domestic violence prevention and control

ESCAP Economic and Social Commission for Asia and the Pacific

FAO Food and Agriculture Organization of the United Nations

GRB Gender-responsive budgeting

GSO General Statistics Office GBV Gender-based violence GDP Gross domestic product

ICPD International Conference on Population and Development

ILO International Labour Organization

IOM International Organization for Migration

JPGE Joint Programme on Gender Equality

LUC Land use certificate

MDG Millennium Development Goal

MICS Multiple Indicator Cluster Survey

MMR Maternal Mortality Ratio

MOCST Ministry of Culture, Sports and Tourism

MOH Ministry of Health

MOLISA Ministry of Labour, Invalids and Social Affairs

MPS Ministry of Public Security

NCFAW National Committee for the Advancement of Women
 NGSIS National fertility Gender Statistical Indicator System
 NTP – NRD National Target Program on New Rural Development

SAVY Survey Assessment of Vietnamese Youth

SDG Sustainable Development Goal

SME Small and medium-sized enterprise

SRB Sex ratio at birth
TFR Total fertility rate

UNAIDS Joint United Nations Programme on HIV/AIDS
UNDP United Nations Development Programme

UNDP United Nations Development Programme

UNESCO United Nations Educational, Scientific and Cultural Organization

UNIFPA United Nations Population Fund
UNICEF United Nations Children's Fund

UNIFEM United Nations Development Fund for Women

UNODC United Nations Office on Drugs and Crime

VHLSS Viet Nam Household Living Standards Survey

VND Vietnamese dong

VWU Viet Nam Women's Union
WHO World Health Organization

# **GENDER EQUALITY TERMINOLOGY**

**Gender:** The socially constructed roles and relationships, personality traits, attitudes, behaviours, values, relative power and influence that society ascribes to the two sexes on a differential basis. Gender is relational and refers not simply to women or men but to the relationship between them.

**Sex:** The biological characteristics that define humans as female or male. These sets of biological characteristics are not mutually exclusive, as there are individuals who possess both or who are in transition, but they tend to differentiate humans as males and females.

**Gender roles:** A set of prescriptions for action and behaviour assigned to men and women by society according to cultural norms and traditions.

**Gender identity:** Women's and men's gender identity determines how they are perceived and positioned in a society, and how they are expected to think and act along traditional views of masculinities and femininities.

**Gender equality:** Gender equality entails the concept that all human beings, both women and men, are free to develop their personal abilities and make choices without the limitations set by stereotypes, rigid gender roles or prejudices. Gender equality means that the different behaviours, aspirations and needs of women and men are considered, valued and favoured equally.

**Gender equity:** Fairness and justice in the distribution of responsibilities and benefits between women and men. To ensure fairness, temporary special measures must often be put in place to compensate for the historical and social disadvantages that prevent women and men from operating on a level playing field. Equity is a justice-based means—equality is the human rights-based result.

**Women's empowerment:** The process of gaining access and developing women's capacities with a view to participating actively in shaping one's own life and that of one's community in economic, social and political terms.

**Gender mainstreaming:** Defined by the UN Economic and Social Council (ECOSOC resolution 1997/2) as

"... the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality." (United Nations Economic and Social Council 1997)

**Gender-based violence (GBV):** The United Nations High Commissioner for Refugees (UNHCR) and implementing partners use an 'expanded definition of sexual and gender-based violence', which defines GBV as follows:<sup>1</sup>

Gender-based violence is violence that is directed against a person on the basis of gender or sex. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. While women, men, boys, and girls can be victims of gender-based violence, women and girls are the main victims. GBV shall be understood to encompass, but not be limited to, the following: a) Physical, sexual, and psychological violence occurring in the family, including battering, sexual exploitation, sexual abuse of children in the household, dowry related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation; b) Physical, sexual, and psychological violence occurring within the general community, including rape; sexual abuse; sexual harassment and intimidation at work, in educational institutions, and elsewhere; trafficking in women and forced prostitution; c) Physical, sexual, and psychological violence perpetrated or condoned by the State and institutions, wherever it occurs. (UNHCR. Available at: http://www.unhcr.org/4371faad2.pdf)

UNHCR (n.d.)



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# GENDER RELATIONS THROUGH HISTORY

In 43 CE, the Trung sisters led an army of 80,000 against occupying Chinese forces. Two centuries later, Ba Trieu, a 19-year-old peasant girl, led another rebellion against the Chinese. These early female leaders have remained a strong part of Vietnamese folklore. <sup>2</sup> However, one thousand years of Chinese domination in the North inculcated Confucian ideology, which held that men are superior, and women are subjects to be ruled by their father, husband, eldest son and king. Confucian influence never completely took hold in what is now southern Viet Nam due to the dominance of other Southeast Asian cultures, some of which featured matrilocal and matrilineal structures. <sup>3</sup> Even in southern Viet Nam, strong Confucian influence has persisted among communities of Chinese origin. Yet Vietnamese women have historically enjoyed considerable equality under the law. <sup>4</sup> The earliest document relating to equality between men and women, the Hong Duc Code (1483), provided women with equal inheritance, the right to divorce, and protection from violence.

- 2 Gilbert (2007).
- 3 Mai Thi and Le Thi Nham Tuyet (1978).
- 4 VWU & CFWS (1989).

Whereas under feudalism girls had little if any access to schooling, French colonial rule from the early 20th century did permit a rudimentary education for women. Among Vietnamese educational reformers, the argument for women's education was to mould them into pillars of morality for family and society.

During the war for independence, over 1 million women were active in the resistance against the French. Independence saw gender equality enshrined in the first constitution in 1946, which stated that "[a]II power in the country belongs to the Vietnamese people, irrespective of race, sex, fortune, class, religion... and that women are equal to men in all respects".<sup>5</sup>

When Ho Chi Minh established the Vietnamese Communist Party in 1930, he paved the way for the founding of the Women's Emancipation Association (later re-named the Viet Nam Women's Union). He stated: "What equality really means is a thorough-going and difficult revolution because contempt for women dates back thousands of years...If this large-scale revolution is to be successful, progress will have to be made in every field: political, economic, cultural and legal." Although not always translated into practice, this view created an institutional context for a type of official, top-down feminism that has supported many women's rights, including maternity leave, child care, education, employment and abortion. During the period of war with the United States of America, the involvement of men in the fighting brought more women into Government: from 1965 to 1967, the proportion of women in district People's Committees increased from 25.5 per cent to 45.8 per cent, and by 1970 women's participation in the National Assembly increased to 32.3 per cent. However, immediately following the war, men returned to their previously held positions and women's representation again decreased.

In 1986, Viet Nam launched the doi moi ('renovation') process, when the country transitioned from a centrally planned command economy to a market economy. Quality of life rapidly improved together with improved access to education, clean water and sanitation, nutrition, and child and maternal health. However, Viet Nam's rapid economic progress has brought new challenges. Although economic integration into the world economy has created more opportunities, the labour market continues to be highly segregated by sex, with more men in salaried positions, and more women in low-wage, unskilled jobs, self-employment and unpaid family labour. Women continue to carry the double burden of working and maintaining the household while men continue to be seen as the head of the family, despite women's significant economic and household contributions. In politics, women are still a minority in

<sup>5</sup> Constitution of Vietnam, Article 9.

<sup>6</sup> Mai Thi and Le Thi Nham Tuyet, (1978).

the National Assembly, the Central Party Committee and People's Committees. All of these issues will be explored in more detail in the remaining chapters of this Briefing Kit.

## GENDER NORMS AND STEREOTYPES

Vietnamese society is greatly influenced by Confucian principles regarding the family, which dictate desirable gender roles and codes of behaviour for women and men. In addition, patriarchal and patrilineal norms are prevalent for the Kinh and Hoa (Chinese ethnicity) and many ethnic minorities. There is strong pressure on women to preserve family harmony and the good reputation of her husband and family by complying with her husband's and in-laws' wishes, and by being passive and hard-working for the family. Thus, even though women are expected to contribute economically, they are still seen as subordinate to their husbands. There is a strong belief that women's domain is within the home, while a man's domain is outside the home. A married woman has minimal status in the family until she bears sons, and older women are accorded higher status and more power.<sup>7</sup>

These attitudes have strong implications for women both within their families and communities, and in the workforce – particularly for women's leadership. As many researchers have noted, patriarchal attitudes result in pervasive stereotypes that men are more capable than women, that women's primary concern is for the family and children, and that a woman will leave her job to have children and thus contribute less than a man in a similar position. Thus, there is a tendency to choose men over equally-qualified women for leadership positions, and both men and women have difficulty with women in leadership roles. The emphasis on family harmony and reputation is a key factor preventing many women from reporting domestic violence or seeking divorce, and causing many women to blame themselves as if their behaviour had provoked the abuse.<sup>8</sup>

Disturbingly, gender stereotypes remain influential among young people, both male and female. An online survey of 2,500 respondents, carried out by the Asia Foundation and two Vietnamese non-governmental organizations (NGOs) in 2013 revealed strong preference among young people for leadership characteristics most commonly associated with men. More than 80 per cent of respondents believe that a leader needed to be "decisive," while 62 per cent voted for "strong," and respondents overwhelmingly identified these characteristics as being male rather than female. The survey also found that there was very little difference

<sup>7</sup> JPGE (2010).

<sup>8</sup> ihid

in the responses between male and female respondents and those from rural or urban areas, as well as of young people who were already working and those still in school. Moreover, the survey found that "skilfulness" (66 per cent), "a hardworking nature" (63 per cent) and "self-sacrificing/long-suffering" (33 per cent) were the key expectations of a female partner among young Vietnamese men. In addition, Vietnamese women overwhelmingly identify stereotypically male traits in a "perfect" partner, with 81 percent wanting their partners to be 'strong". The persistence of these gender stereotypes among young people has implications for their future career choices and life expectations.

# INTERNATIONAL INDICES OF GENDER EQUALITY

In the various international scales, in the ranking of different countries on gender equality and women's empowerment, Viet Nam tends to score between the mid-rank to the top one-third.

The World Economic Forum (WEF) Gender Gap Index (GGI) ranks countries in terms of overall performance in closing the gender gap. There are separate scales for economic participation and opportunity, educational attainment, health and survival, and political empowerment, as well as an overall score. In 2015, Viet Nam ranked 83rd out of 145 countries overall. The favourable ranking on economic participation and opportunity (41st) is offset by much worse rankings on education (114th), political empowerment (88th) and especially, health and survival (139th) – largely due to the very high sex ratio at birth which places Viet Nam at 141st out of 145 countries on that one measure. Since it was first included in the GGI in 2007, Viet Nam's overall record on closing the gender gap has actually deteriorated: from ranking 42nd out of 128 countries in 2007, it has dropped about 40 places in nine years.

The Organisation for Economic Co-operation and Development (**OECD**) Social Institutions and Gender Index (SIGI) takes a country-by-country look at discriminatory social institutions, which are defined as the "formal and informal laws, attitudes and practices that restrict women's and girls' access to rights, justice and empowerment opportunities." These include discriminatory family code, restricted physical integrity, son bias, restricted resources and assets, and restricted civil liberties. In this index, in 2014 Viet Nam placed in the "medium" category overall out of 108 countries. In the individual scales, Viet Nam is scored "medium" for "discriminatory family code" (due to restrictions on women's decision-making power within the family and household); "low" for "restricted physical integrity" (including reproductive

- 9 Asia Foundation (2013).
- 10 WEF (2015).

autonomy), "very high" on "son bias", "medium" on "restricted resources and assets" (secure access to, control over, and ownership of resources), and "high" on "restricted civil liberties" (women's access to, participation and voice in the public and social spheres).<sup>11</sup>

The Gender Inequality Index (GII) introduced in the United Nations Development Programme (UNDP) Human Development Report (HDR) reflects gender-based inequalities in reproductive health (measured by maternal mortality and adolescent birth rates), empowerment (measured by the share of parliamentary seats held by women, and attainment in secondary and higher education) and economic activity (measured by the labour market participation rate for women and men). According to the 2015 HDR, "the GII can be interpreted as the loss in human development due to inequality between female and male achievements in the three GII dimensions". Viet Nam has a GII value of 0.308 (with a lower value reflecting lower gender inequality), ranking it 60th out of 155 countries in the 2014 index (compared to 58th in the previous year). By way of regional comparison, Thailand and the Philippines score more poorly than Viet Nam, at 76th and 89th, respectively, while China ranked 40th. However, the 2015 HDI report for Viet Nam observes that "[t]he national data over time are also less positive" given that several sub-components of the GII deteriorated between 2010 and 2012, and the overall GII value increased, "reflecting a higher loss in achievement due to gender inequality across its dimensions". 12

# OVERVIEW OF CURRENT SITUATION AND KEY GENDER ISSUES

The overall assessment is that Viet Nam has made significant progress in closing gender gaps on many fronts such as health and education during its rapid economic development. There is now a relatively comprehensive framework of national, local and sectoral strategies, laws, policies and action plans for promoting gender equality, and the Government is making continuing efforts to mainstream gender equality in new and revised legislation and development planning.

However, barriers to women's equality and rights still exist and need to be addressed in a comprehensive manner by the government and society. Patriarchy and rigid gender social norms such as son preference and different roles and expectations prescribed for women

<sup>11</sup> OECD (2014).

<sup>12</sup> VASS & UNDP (2016).

and men are still persistent and are the root cause of: some of the remaining discriminations in laws (e.g. unequal retirement age, forbidden occupations for women); the shortage of women in decision-making positions; the treatment of women in the justice system; their lower position in the labour structure and economy signified in the widening gender-earning gap; the sex ratio at birth (SRB)<sup>13</sup> imbalance;; and GBV.

The global financial crisis and economic recession have slowed economic growth in Viet Nam in recent years. The country's sluggish economic performance and economic growth model based on cheap labour, raw materials and the mobilization of capital exerts a negative impact on the Government's commitment to gender equality. During the 2008 economic slowdown, due to a decline in exports of manufacturing and agricultural products, women were particularly vulnerable since they made up the majority of workers in these sectors. In addition, broader and deeper ongoing international and regional economic integration including the country's participation in Association of Southeast Asian Nations (ASEAN) Economic Community, the Trans-Pacific Partnership (TPP) and other Free-Trade Agreements raises concern about its potentially adverse implications for gender equality in Viet Nam. Manufacturing, agro-forestry and fishery industries will encounter higher competition within ASEAN. Vietnamese female labourers who have less competitive edge in terms of skills and productivity than their national male counterparts but alas well as their regional peers will be more prone to job cut-off. As a result of greater economic integration, female labour migrants, both internal and international, face multiple risks including GBV, limited access to social protection and legal aid.

Due to the reduced fiscal space as a result of the slow economy, resource allocation for gender equality has been shrinking. The budget for the National Programme on Gender Equality 2011-2015, adopted with an initial promise of US\$46 million over five years, was cut by 20 per cent in 2013 and by a further 50 per cent in 2014 (United Nations Viet Nam, 2014; 2015). It is too early to observe the impact of having added gender equality as a principle for budget allocation in the State Budget Law. Currently, budget allocations for gender equality are still understood as budgets for specific programmes or activities to promote women's leadership, human resource development and gender equality, such as the National Programme on Gender Equality, rather than a process of integrating gender analysis into planning and budget allocation and expenditures to promote gender equity within the public service and general or mainstream expenditures.

<sup>13</sup> Sex ratio at birth (SRB) is defined as the number of boys being born per 100 girls; a normal SRB is 104-106 boys for 100 girls.

Climate change and increase in frequency of natural disasters are posing new challenges to gender equality and women's empowerment in Viet Nam. More women than men depend on agriculture, putting them at higher risk of losing income and resources from storms, floods and droughts. Moreover, less access to resources, credit, markets and extension services makes women less resilient, especially those from poor households. Increasing pressure on water and forest resources often leads to women having to travel longer distances to fetch water or wood, exposing them to health risks, and increasing their burden of unpaid care.

Although Government commitment to gender equality is expressed in a number of laws, policies and strategies, there is a lack of effective coordination and clear division of responsibility in ensuring gender equality and rights of women within State institutions. Within each institution, from central to local level, human, technical and financial resources and authority are still not adequately allocated to promote gender equality and women's empowerment despite over two decades of international technical support.

The different chapters of this Briefing Kit outline in greater detail the current situation in Viet Nam in regard to gender equality and women's empowerment across a range of sectors and issues.



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Viet Nam has a complex institutional framework where multiple agencies and structures are responsible for ensuring gender equality. The current structure has been in place since 2008 when the Department for Gender Equality (GED) was established within the Ministry of Labour, Invalids and Social Affairs (MOLISA) as the State agency responsible for gender equality and the implementation of the Law on Gender Equality. It is also the agency responsible for the inter-sectoral National Committee for the Advancement of Women (NCFAW), which is an advisory body to the Prime Minister. This body in turn oversees Committees for the Advancement of Women (CFAWs) in line ministries, agencies and provinces. These organizations are responsible for inter-sectoral coordination. Also instrumental in promoting gender equality is the Viet Nam Women's Union (VWU) and its provincial counterparts. The various line ministries and ministerial-level agencies, in coordination with MOLISA, perform the function of state management on gender equality within their respective ministries and sectors, while People's Committees at all levels perform the decentralized function of state management on gender equality.<sup>14</sup> To perform this function, each Ministry and sector designate focal points on gender equality, while local authorities assign this task to the provincial Department of Labour, Invalids and Social Affairs (DOLISA) or corresponding units

<sup>14</sup> MOLISA. Gender Equality Department (2014).

at lower levels, down to the district and commune level. The specific functions of the key organizations are outlined in more detail below.

#### The National Committee for the Advancement of Women

The National Committee for the Advancement of Women (NCFAW), previously known as the National Committee for the Decade of Women in Viet Nam (founded in 1985), was established in 1993 to promote women's status. It is a government inter-sectoral body, tasked to study and advise the Prime Minister on issues related to the advancement of women nationwide. Pursuant to Decision No. 114/QD-TTg of August 22, 2008 on strengthening the National Committee for the Advancement of Women in Vietnam, the main duties of NCFAW are as follows:

- submission of the survey results and the proposals concerning the advancement of women's status to the Prime Minister;
- support of the Prime Minister in coordination and collaboration between ministries, relevant organizations, the People's Committee and mass organizations to inform Vietnamese people on the laws and policies related to the advancement of women's status;
- support of the Prime Minister in promoting the achievement of national targets relating to the advancement of women's status by ministries, relevant organizations, the People's Committee and mass organizations;
- report to the Prime Minister every six months.

Up until establishment of the Gender Equality Department in MOLISA, NCFAW was chaired by President of Viet Nam Women's Union (VWU). Since 2008, MOLISA has been the standing agency of the NCFAW, and its Minister is the NCFAW Chair and the two Vice-Chairs are the President of VWU and Vice Minister of MOLISA. Members of the committee comprise Vice Ministers and equivalent titles from some 19 ministries, central agencies and mass organizations. Under the NCFAW, a system of Committees for the Advancement of Women (CFAW) have been established in 42 ministries, sectors, ministerial-level agencies and government agencies as well as in 63 provinces and cities. The composition of each CFAW varies, but in general, the Committee at the provincial level is chaired by the Vice Chair of

<sup>15</sup> ibid

the Provincial People's Committee, and leadership is composed of key senior leaders from relevant provincial- or district-level departments and organizations. At the ministerial level, the Committee is often chaired by the Vice Minister. These Committees are required to develop their own ministerial and provincial plans of action to implement the National Strategy on Gender Equality 2011-2020, which is monitored by NCFAW. The ministerial and provincial CFAW report directly to NCFAW.

#### **Ministry of Labour, Invalids and Social Affairs**

In 2008, the Department of Gender Equality (GED) was established in the Ministry of Labour, Invalids and Social Affairs (MOLISA) as the lead agency in the Government to undertake state management of gender equality nationwide. According to the Prime Minister's Decree No. 186/2007/ND-CP, GED is responsible for:

- the development of gender strategies, annual plans and programmes;
- the drafting of laws related to gender equality;
- the development of policies to reduce gender discrimination in socio-economic areas such as labour, education, culture, and healthcare, and in households;
- the monitoring and evaluation of gender-related strategies;
- the compilation and dissemination of gender statistics;
- surveys, communication and awareness-raising activities;
- the preparation of reports on gender equality.

More specifically, GED is responsible, in coordination with line ministries, for the implementation of the Law on Gender Equality, and the development and implementation of other strategies, plans and programmes that support implementation of the National Strategy on Gender Equality at the national level.

Since 2008, MOLISA has been the designated government focal point for the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) reporting and for coordinating follow-up on the Concluding Observations issued by the CEDAW Committee subsequent to the submission of the State party report, most recently in July 2015. GED also coordinates the implementation of the Beijing Platform for Action, and in

2015, it prepared the National Review Report on the Twenty-year review of the implementation of the Beijing Platform for Action (BPFA). The GED reports annually on implementation of the Law on Gender Equality to the National Assembly of the Socialist Republic of Viet Nam.

At the provincial level, DOLISA is responsible for gender equality. However, in many provinces, very few administrative officials have been appointed to take up the responsibility.

#### **The Viet Nam Women's Union**

The Viet Nam Women's Union (VWU) is a mass organization of the Communist Party established in 1930 to mobilize women for an independent Viet Nam. Article 30 of the Law on Gender Equality stipulates the tasks of the VWU as follows:

- participate in reviewing and formulating policies, laws and participate in state management on gender equality;
- participate in monitoring the implementation of gender equality legislation;
- carry out organizational activities that contribute to supporting women to achieve gender equality;
- coordinate with other agencies and organizations to foster and recommend qualified women candidates for the National Assembly and People's Council;
- participate in management and leadership bodies within the political system at all levels;
- participate in reviewing policies and legislation on gender equality and
- represent and protect the legitimate rights and interests of women and girls prescribed by law.

The VWU has recently taken on a more active role in coordinating work on gender equality at the provincial and local levels. <sup>16</sup> Recent VWU programmes and projects have been directed at poor, rural and marginalized populations; savings and credit programmes for poor women are among their most well-received activities. According to the VWU web site, it has a membership of over 15 million, belonging to over ten thousand local women's unions in communes and towns throughout the country, including at the central, provincial/municipal, district and commune levels.

<sup>16</sup> ibid.

#### **Accomplishments and remaining challenges**

The above institutions can be credited for having developed, advanced and contributed to key legislation in the past decade to promoting gender equality, notably the 2006 Law on Gender Equality, the 2007 Law on Domestic Violence Prevention and Control, and the National Strategy on Gender Equality 2011-2020. The Viet Nam Women's Union in particular is an institution of historical significance for its contribution to the liberation of Viet Nam. These institutions have also spearheaded dissemination and awareness raising on these laws and policies from the central level down to the community level, and have been the primary advocates from within the State system on gender equality. Their accomplishments were also acknowledged by the CEDAW Committee in its Concluding Observations to Viet Nam's State Report in 2015.

However, the multiplicity of institutions with an unclear division of responsibilities negatively impacts on policy and programme coherence and coordination, and creates inefficiency. Accordingly, the CEDAW Committee recommended a strengthening of overall coordination, clear mandates and defined responsibilities for each institution, adequate human, technical and financial resources and authority for each, and enhanced efforts to ensure that gender equality is mainstreamed across all areas of government work.<sup>17</sup>

These concerns were based largely on the CEDAW Committee's Observations on the implementation of the National Programme on Gender Equality 2011-2015, which Viet Nam reported on in its 2013 State report. But they are still relevant given that the National Action Plan on Gender Equality 2016-2020 continues to give MOLISA primary responsibility for its implementation, and also for the coordination of the key roles of the many line ministries involved, including the Ministries of Justice, Home Affairs, Planning and Investment, Finance, Information and Communications, Culture, Sports and Tourism, Science and Technology, and the Committee for Ethnic Minority Affairs.<sup>18</sup>

The problem of policy coherence and coordination is mostly observed with respect to GBV. The fact that different types of violence are covered by different legislation and action plans that are the responsibility of different organizations creates overlap. While MOLISA has the overall responsibility for coordinating the implementation of the Law on Gender Equality,

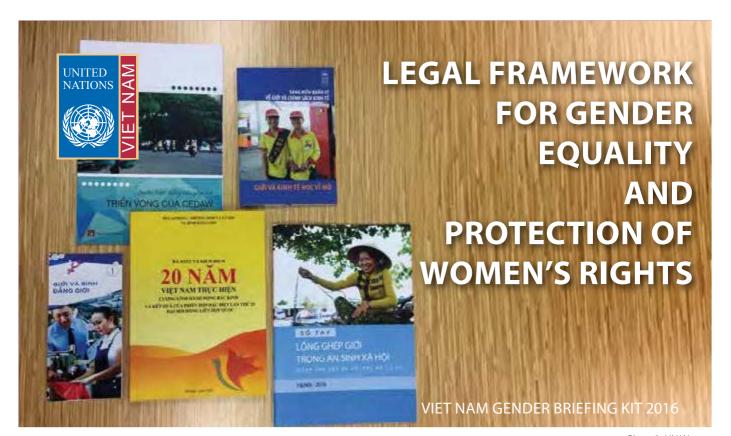
<sup>17</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) CEDAW/C/VNM/CO/7-8. (2015), Concluding observations on the combined seventh and eighth

<sup>18</sup> Socialist Republic of Viet Nam (2015).

which forbids GBV, the Family Department of the Ministry for Culture, Sports and Tourism (MOCST) is the state management agency for the Law on Domestic Violence Prevention and Control. It is responsible for coordinating a number of ministries and agencies, such as the Ministry of Justice, Ministry of Education and Training (MOET), Ministry of Health (MOH), Ministry of Public Security (MPS), MOLISA to implement programmes and plans on domestic violence prevention and control (DVPC), including awareness raising, delivery of services such as legal aid, counselling, and health care for survivors, and training of law enforcement and service providers.<sup>19</sup> MOCST led the development of the National Programme of Action Against Domestic Violence through 2020 (Prime Minister's Decision 215/QĐ-TTg of 6 February 2014) and is also responsible for coordination and collaboration with relevant ministries and sectors for its implementation. At the same time, the National Thematic Project on Preventing and Responding to Gender-Based Violence from 2016 to 2020 and Vision 2030 (1464/QD-TTg) approved by the Prime Minister in August 2016 has assigned MOLISA as the leading agency responsible for coordinating awareness raising and capacity building of relevant agencies, and development and implementation of pilot models. The National Thematic Project engages many of the same ministries and agencies working with MOCST on DVPC in GBV response.

Overall, the institutional mandates of the different ministries and agencies, and the coordination of agencies working for gender equality need to be reviewed to reduce fragmentation as well as overlap, and continue to strengthen the national institutional mechanism for gender equality in Viet Nam.

<sup>19</sup> Socialist Republic of Viet Nam (2007).



Photo©: UN Women

Viet Nam has made good progress in developing its legal and policy framework for the promotion of gender equality and women's rights. According to Article 26 of the 2013 Constitution, "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 same Article also prohibits gender discrimination. More detailed measures to ensure the promotion of gender equality are set out under the Law on Gender Equality. It mandates Government bodies to fulfil their responsibilities on gender equality and to ensure that violations are addressed. Subsequent guidance documents and implementing decrees delineate the responsibilities of each agency or organization in organizing the implementation of the Law on Gender Equality. This includes targeted policies and measures such as the National Strategies and Action Plan on Gender Equality, as well as the introduction and/or revision of other legislation of vital importance to the promotion of gender equality and the protection of women's rights and interests.

#### **Gender mainstreaming in legal documents**

There has been a gradual progress of mainstreaming gender equality in key legislation, government decrees and policy documents, many of which were accomplished with the support of the United Nations. The Law on Gender Equality has mandated gender mainstreaming in legal documents and specifically required to: (i) define relevant gender issues; (ii) assess the impact of new/amended legislations on women and men; and (iii) assign responsibilities and resources to address gender issues under the scope of the legal document in concern (Articles 20-22). In 2014, the Ministry of Justice issued Circular No. 17/2014/TT-BTP that provides for guidance to the process of gender mainstreaming in legal documents. The Circular calls for the participation of representatives from MOLISA and VWU, and to ensure equal participation of women and men in the drafting committee and editorial teams for preparing legal documents related to gender equality.

The Law on Legal Documents, which was amended in 2015, also specifies the steps for gender mainstreaming to be taken during the drafting process of legal documents. Since the law mandates to consider gender issues whenever a legal document is deemed to concern gender, the gender mainstreaming process relies on the legal drafters to have a good understanding on substantive gender equality. However, a report by the Ministry of Justice identified capacity gaps of the legal drafters because they had difficulty in following the gender mainstreaming process and conducting an in-depth gender analysis.<sup>20</sup> The National Assembly Committee on Social Affairs is responsible for reviewing legal documents submitted to the National Assembly in drafts and to guarantee gender equality, pursuant to Article 69 of the Law on Legal Documents and the Law on Gender Equality.

The National Strategy on Gender Equality for the period of 2011-2020 set a target that 100 per cent of the draft legal documents submitted to the National Assembly will be reviewed for their relevance to gender equality and that legal drafters will be trained in gender knowledge and analysis skills.<sup>21</sup> In March 2016, the National Assembly Committee on Social Affairs released a review of the Government's Report on the implementation of national targets on gender equality in 2015 and the 2011-2015 period and discovered that, however, there were difficulties in measuring results against such targets. The report recommended that the government provide further guidance on gender mainstreaming in legislations.<sup>22</sup>

<sup>20</sup> Ministry of Justice (2015).

<sup>21</sup> Target 1 and 2 under Objective 7 of the National Strategy on Gender Equality 2011-2020.

<sup>22</sup> The National Assembly's Committee on Social Affairs (2016).

#### Legal framework for guaranteeing gender equality and non-discrimination

As a State party to CEDAW, Viet Nam is obliged to respect, protect and fulfil women's right to non-discrimination and to the enjoyment of equality. This section will provide a brief overview of how Viet Nam's legal framework is responding to the state obligations under CEDAW.

**Obligation to respect, to protect and to fullfill** – the States parties are required to refrain from preparing laws, policies, regulations, programmes, administrative procedures and institutional structures that directly or indirectly result in the denial of the equal enjoyment by women of their rights. CEDAW also requires states to react actively against discrimination against women, regardless of whether such acts or omissions are perpetrated by the State or by private actors.<sup>23</sup>

A number of Vietnamese legislations contain provisions guaranteeing equality between women and men and prohibiting discrimination on the basis of gender. In addition to the provisions under the Constitution and the Law on Gender Equality as explained earlier, the Civil Procedure Code, Criminal Procedure Code, Law on Marriage and Family, Civil Code, Labour Code, Law on Education, Penal Code and Law on the Organization of Government, for example, explicitly guarantee gender equality and/or prohibit gender-based discrimination, including acts conducted by private actors.

The Law on Gender Equality provides for the definition of gender equality which guarantees equal roles, positions, conditions, opportunities and enjoyment of achievements between women and men. Gender discrimination is defined as an act of restricting, excluding, not recognizing or not appreciating the role and position of women and men on an equal basis. The lack of reference to equal rights between women and men, however, appears to prove a narrower scope than the concept of substantive equality under CEDAW, which guarantees women equal recognition, enjoyment and exercise of all human rights and fundamental freedoms in the political, economic, social, cultural, civil, domestic or any other field, and on a basis of equality with men.<sup>24</sup>

<sup>23</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) CEDAW/C/GC/28. (2010), General recommendation No. 28 on the core obligations of States parties under Article 2 of CEDAW.

<sup>24</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) CEDAW/C/GC/28. (2010), General recommendation No. 28 on the core obligations of States parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.

#### International human rights treaties and national legislation

The Law on the Promulgation of Legal Documents requires all legal drafts to be examined for their compliance with international treaties ratified by Viet Nam. In case there is inconsistency between national legislations and international treaties on the same matter, provisions under the international treaties will prevail (Article 156).

Viet Nam is party to a number of international instruments and conventions that carry the obligation to address gender equality and human rights. These include the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on Child Rights (CRC), and the International Convention on the Elimination of all Forms of Racial Discrimination (CERD). In 2015, Viet Nam ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Convention on the Rights of Persons with Disabilities (CRPD). In addition, Viet Nam is a party to a number of International Labour Organization (ILO) Conventions regarding international labour standards as well as the Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol).

The ratification of these international instruments commits the Government of Viet Nam to align its legal framework to these international obligations. Viet Nam has not yet ratified the conventions on the protection of the rights of migrant workers and on the protection from enforced disappearance, which are core international human rights treaties.

A core principle of CEDAW is that laws must eliminate all types of discrimination against women, both direct and indirect. Direct discrimination refers to "an action or omission that has the purpose of discriminating against women", for example, termination of employment on pregnancy, or preferential hiring of men. Indirect discrimination refers to an action or omission that has the effect of discriminating, even if it was not intended. Importantly, "an act or omission may appear to be neutral towards or even beneficial for women, but its effect or impact can be discriminatory". <sup>26</sup>

In this regard, the CEDAW Committee raised concern over the Labour Code, which provides for different retirement age for women (55) and men (60).<sup>27</sup> The age gap for retirement affects women's income, promotion and training opportunities over their career span, which also results in lower pension.<sup>28</sup> Exceptions are provided for those who obtain high

<sup>25</sup> Chinongson (2008:53).

<sup>26</sup> Ibid (2008: 9).

<sup>27</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) CEDAW/C/VNM/CO/7-8. (2015), Concluding observations on the combined seventh and eighth periodic reports of Viet Nam, July 6-24, 2015. paras 8 and 28.

<sup>28</sup> UN Viet Nam (2013b).

technical qualifications or hold management positions to extend for additional five years, yet the gap between women and men remain the same.<sup>29</sup> The retirement age is mandatory for most public-sector employees but optional for private-sector employees, although most workers claim their pensions at the statutory retirement age.<sup>30</sup> Whether or not to equalize the retirement age for women and men received a lot of attention and was debated during the law reform leading to the 2012 amendment.<sup>31</sup> Nevertheless, the amended Labour Code maintained the five-year age gap between women and men.

There is another example where the legal framework discriminates against women despite its aim to benefit or protect women. The Labour Code provides for the right to work, the freedom to choose an occupation without being discriminated against on the basis of gender, among other grounds. Article 160 of the Labour Code, however, prohibits women to undertake work that is harmful to child-bearing and parenting functions, work that requires regular immersion in water or regular underground work in mines. In accordance with this provision, MOLISA issued Circular No. 26/2013-TT, which prohibits all women from doing 38 types of jobs, such as installing oil rigs at sea or drilling wells. In addition, employers are prohibited from hiring pregnant women or women with children under 12 months of age for another 39 types of jobs.

Distinctions must be made in the provision of special care for pregnancy or maternity and protective measures for women in general. Any restriction on women's right to work must be carefully scrutinized on a regular basis. When the work is dangerous, occupational health and safety measures must be in place to protect all workers regardless of their sex. Article 13(3.c) of the Law on Gender Equality identifies employers responsible for creating safe and hygienic working conditions for female workers in hazardous jobs. The CEDAW Committee raised concern over the extensive list of occupations prohibited to women and recommended Viet Nam to review and reduce the list.<sup>32</sup> Any restriction on women's rights based on gender stereotyping including women's work inferiority must be repealed.

<sup>29</sup> Decree 53/2015/NĐ-CP was signed on 29 of May, which explains in detail clause 3, Article 187 of the Labour Code. It states that women who hold positions of Vice Minister or equivalent shall be allowed to retire at the age of 60.

<sup>30</sup> World Bank (2008).

<sup>31</sup> MOLISA, 2011-2014 updates for the 7th and 8th national report on the implementation of CEDAW convention for the 2004–2010 period and answering questions of the CEDAW Committee, June 2015.

<sup>32</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) CEDAW/C/VNM/CO/7-8. (2015), Concluding observations on the combined seventh and eighth periodic reports of Viet Nam, July 6-24, 2015.) paras 28-29.

There are also gender stereotyping on the roles and responsibilities of women and men in the family. The principles of equality and mutual respect between husband and wife in relation to marriage and family life are guaranteed under the 2013 Constitution (Article 36) as well as the revised Marriage and Family Law, which came into effect on 1 January 2015 (Article 2). The Marriage and Family Law explicitly provides for equal obligations and rights between fathers and mothers to care for and raise their children (Article 71). However, the Law perpetuates gender stereotypes by listing mothers' responsibilities in properly fulfilling their motherhood functions as one of the fundamental principles for the marriage and family regime, while being silent of fathers' parental responsibilities (Article 2(4)). Upon divorce, "[a] child under 36 months of age shall be directly raised by the mother, unless the mother cannot afford to directly look after, care for, raise and educate the child or otherwise agreed by the parents in the interests of the child" (Article 81(3)). This provision places primary responsibility for child rearing on mothers. The emphasis on women's care-giving role was noted with concern by the Committee on Economic, Social and Cultural Rights.<sup>33</sup>

The revised Marriage and Family Law also maintained the minimum age to enter marriage for women and men at 18 and 20 respectively, despite the call from the CEDAW Committee in its Concluding Observations in 2007 and 2015 for equalizing the age for marriage.

The rights of lesbian, gay, bisexual, transgender and intersex persons

Some progress has been made in recent years to uphold the rights of *lesbian, gay, bisexual, transgender and intersex* (LGBTI) persons. The revised Civil Code (2015) legalized sex change for transgender people and permitted individuals who have undergone sex change surgery to change the gender marker on their official documentation. While this was a major breakthrough for Viet Nam's LGBTI community, there are concerns regarding the restriction of this right because it only applies to individuals who have undergone surgery. The revised Marriage and Family Law (2014) also failed to recognize the economic rights of women in de facto unions. While it removed the prohibition on same-sex marriage, it still defines marriage as a union between a man and a woman. Therefore, it does not grant legal status to same-sex marriages; that is, such marriages cannot be registered and are not recognized in family/household registration.

**The obligation to protect** requires that States parties protect women from discrimination by private actors and take steps directly aimed at eliminating customary and all other practices that prejudice and perpetuate the notion of inferiority or superiority of either of the sexes, and of stereotyped roles for men and women.<sup>34</sup> This entails that there are complaints and

<sup>33</sup> CESCR Concluding Observations (2014) E/C.12/VNM/CO/2-4, para 16.

<sup>34</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) CEDAW/C/GC/28. (2010), General recommendation No. 28 on the core obligations of States parties under Article 2 of CEDAW.

redress mechanisms in place and sanctions are imposed.

The right to seek redress in cases of gender-based discrimination is specifically provided in Articles 37 and 38 of the Law on Gender Equality, complemented by the 2009 *Decree on Sanctioning of Administrative Violations of Gender Equality* which sets out administrative sanctions and remedies in the fields of politics, economy, education, training, science, technology, culture, information, sports, healthcare, and in the family (Decree No. 55/2009/ND-CP, 10 June 2009).

In addition, the Law on Handling of Administrative Violations stipulate that violators in the field of marriage and family, gender equality or domestic violence could be fined for a maximum of VND30,000,000 (Article 24). If the violation continues despite the sanction, the violator may be subjected to a criminal sanction and be fined for a maximum of VND50,000,000 or sentenced to non-custodial rehabilitation for up to two years. When the offence was committed with abuse of power/position, repeatedly, or against two or more persons, the offender may face a maximum VND100,000,000 fine or sentenced to imprisonment between three months and two years (Article 165 Penal Code).

In regards to criminalization and prohibition of GBV, the legal framework is described under Chapter 9.

Women's access to justice and the plural legal system

Viet Nam has a complex justice system which includes the formal justice system and local quasi-State mechanisms, encompassing a number of bodies and individuals involved in law enforcement and dispute resolution, including heads of residential areas, the police, the VWU and People's Committees.<sup>35</sup> The CEDAW Committee's Concluding Observations (2015) note that while Viet Nam has made efforts to build the capacity of the judiciary on gender equality, the frequent use of reconciliation and mediation for dispute resolution (e.g. in domestic violence cases or property disputes) tends to privilege men over women and hinders women's access to justice and remedies. United Nations Development Programme's (UNDP) Justice Index found that there are discrepancies in the access to justice and protection of rights between men and women. In particular, the level of legal knowledge of women was lower than that of men.

<sup>35</sup> Socialist Republic of Viet Nam. 2013. Law on Reconciliation; and UN Women and Ho Chi Minh National Academy of Politics Institute of Sociology (2015).

#### Access to legal aid

Women's access to legal aid remains limited in Viet Nam. Under the Legal Aid Law (2006), women whose household income is above the poverty line must pay for legal aid, even if they do not have access to household income or property, and/or are survivors of domestic violence. In an effort to ensure equal access for men and women to legal aid and specifically address the concern of GBV, the Department of Legal Aid was assigned by the Ministry of Justice to develop a Circular of the Ministry of Justice to guide the implementation of gender equality in organizing and conducting legal aid. Circular No. 07/2011/TT-BTP was enacted in March 2011, which notably identifies target groups of women that are to be prioritized by legal aid organizations in providing assistance. However, this Circular was replaced by Circular No. 11/2014/TT-BTP in 2014, which no longer prioritized women as legal aid beneficiaries, but rather addresses how to provide legal aid in cases where legal beneficiaries are mothers, girls, and survivors of domestic violence, human trafficking or sexual assault. The Legal Aid Law has not yet been revised to reflect this provision;<sup>36</sup> advocates are pushing for it to be included in the scheduled amendment to the Legal Aid Law in 2016.<sup>37</sup>

**The obligation to fulfil** requires that States parties take various measures to provide enabling conditions for women and men to enjoy equal rights de jure and de facto, including, where appropriate, the adoption of temporary special measures. Hence, public policies, programmes and institutional frameworks need to develop women's capacity in order to ensure gender equality in results which goes beyond securing equal opportunities for women and men.

In this regard, the Constitution of Viet Nam states that "the State, society and family shall create the conditions for women to develop comprehensively and to advance their role in society" (Article 26, Clause 2). Further, the Law on Gender Equality clarifies that the measures aimed at promoting gender equality are not considered gender discrimination, and such measures are to be implemented for a certain period of time until the gender equality goals are achieved.

As a specific example of a temporary special measure, the new Law on Elections of Deputies to the National Assembly and to the People's Councils (Law on Elections) introduced a gender quota for women candidates for election. Article 8 (3) stipulates: "[The] number of female

<sup>36</sup> UNODC and UN Women (2013).

<sup>37</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee). 2015. Concluding observations on the combined seventh and eighth periodic reports of Viet Nam, CEDAW/C/VNM/CO/7-8, 6-24 July 2015.

candidates shall be proposed by the National Assembly Standing Committee at the request of the Presidium of the Central Executive Committee of the Viet Nam Women's Union, ensuring a minimum of 35 per cent of candidates in the final list to National Assembly members are female." While this is an advancement, the quota for the candidate list is not enough to achieve the national target of 35 per cent for elected female deputies as set in the National Strategy on Gender Equality for 2011-2020. Hence, the CEDAW Committee recommended to raise the candidate quota to over 35 per cent (2015 Concluding Observations para. 23(b))

Other examples include incentives given to employers to hire female workers. The Labour Code (2012) requires that policies be formulated on tax reductions for employers who employ a large number of female employees. The Law on Enterprise Income Tax (2008), for example, entitles production, construction and transport enterprises that employ many female labourers to a reduction of enterprise income tax, which corresponds to the additional expenses for female labourers.

There are also measures of a permanent nature to create favourable conditions for women, such as special protection for pregnant women. The Labour Code 2012, for example, extended maternity leave to six months. It also provides for special protection for maternity including by prohibiting employers to require pregnant women to work at night or to work overtime. Law on Social Insurance adopted in 2014 introduced paternity leave covering five days and longer for exceptional cases under Article 34 (2) of the Law on Social Insurance.

However, the CEDAW Committee raised concern that there is limited understanding of temporary special measures, because they are confused with the general measures of a permanent nature. It called for promoting understanding of and using temporary special measures to accelerate the achievement of substantive equality, with particular attention to areas where women are underrepresented or disadvantaged.<sup>38</sup>

#### **Remaining challenges**

While much progress has been made on eliminating gender-based discrimination in legislation, examples such as those cited above show that many gaps remain. As noted by the CEDAW Committee, some key pieces of legislation, such as the Law on Marriage and Family and the Labour Code, retain discriminatory provisions.

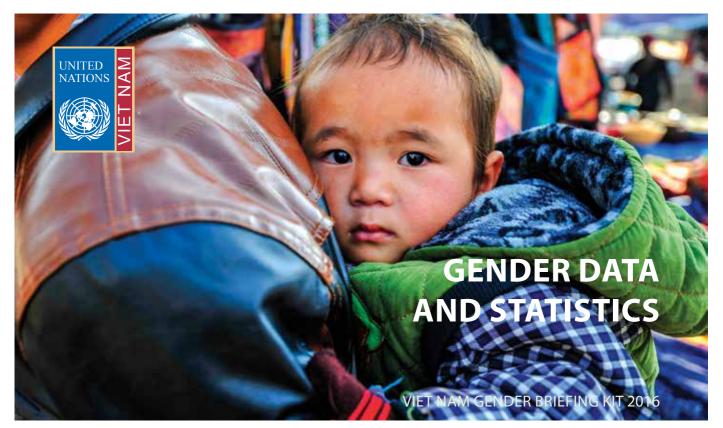
<sup>38</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee). 2015. Concluding observations on the combined seventh and eighth periodic reports of Viet Nam, CEDAW/C/VNM/CO/7-8, July 6-24, 2015.

In addition, the CEDAW Committee's Concluding Observations note: "The implementation of laws and policies remains weak due to the lack of accountability mechanisms and insufficient human, technical and budgetary resources and unawareness of the concept of substantive gender equality by law and policy makers and government officials". The issues of accountability and allocation of necessary resources will be discussed throughout the Gender Briefing Kit.

Finally, current legal frameworks of Viet Nam do not provide a good basis to address intersectional discrimination against women. In addition to sex or gender, there are many other grounds of discrimination recognized under Viet Nam's legal framework, such as nationality, age, social status, ethnicity, religion, educational level and occupation, family background and HIV status. Nevertheless, these grounds of discrimination are often seen as separate from each other, and not necessarily analysed in an interconnected manner.<sup>40</sup> Non-discrimination as one of CEDAW's core principles requires that other grounds of discrimination must be taken into account and addressed in an interconnected manner.

<sup>39</sup> ibid.

<sup>40</sup> Chinongson (2008).



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#### Importance of gender data and statistics

The lack of reliable gender data hampers the ability of governments, NGOs and other development partners to identify, map, analyse and address gender gaps in an evidence-based, efficient and effective manner. It also limits the ability to monitor progress toward gender equality in multiple domains.<sup>41</sup> This issue is particularly salient in light of the SDGs and the 2030 Agenda.

Globally, there is an increasing demand for governments and other actors to be capable of monitoring and evaluating development progress and achievements, and assessing their impact, in a systematic, evidence-based, and transparent manner, based on clearly articulated goals, objectives and outcomes. This is especially the case where government and donor resources are used to support complex goals such as equitable and sustainable development. Gender equality and women's empowerment, which touch on many complex and interconnected domains, pose particular challenges for data generation, collection and dissemination.

<sup>41</sup> Buvinic, Furst-Nichols and Koolwal (2014).

Over the last 20 years, at the international level there have been important advances in normative and technical standards related to gender statistics. The 1995 Beijing Platform for Acton included a strong call for sex-disaggregated data for planning and evaluation. In 2013, the UN Statistical Commission (UNSC) adopted a set of indicators on violence against women. In addition, the UNSC also adopted the Minimum Set of Gender Indicators to serve as a guide for the national production and international compilation of gender statistics. These international agreements provide a strong basis for monitoring gender equality in the 2030 Agenda.<sup>42</sup> The experience of global monitoring of the MDGs clearly demonstrated that the effective use of data can help to accelerate development efforts, track performance and improve accountability, while gaps and insufficiencies in gender data can create barriers to progress on gender equality.

The SDGs include numerous gender-specific and gender-sensitive targets across different goals in addition to Goal 5, "Achieve gender equality and empower all women and girls", which will rely even more on detailed, disaggregated, and reliable gender data. In addition to including gender indicators for the relevant targets, a systematic disaggregation by sex of all relevant indicators across all goals and targets is needed. Where relevant, indicators should also be disaggregated by age. Further, to better capture intersectional inequalities throughout the framework, indicators should be disaggregated by other salient socio-economic characteristics, including income/wealth, location, class, ethnicity and other relevant characteristics.".43

Localization of the SDGs including systematic monitoring will be critical to ensure their implementation at the national level. In this context, the need to produce more and better data, including gender-sensitive indicators, is now greater than ever. This should increase the importance of, and demand for quality gender statistics by national governments. Without significant technical and financial investment to tackle these challenges, there will be important gaps in our ability to adequately monitor the implementation of the SDGs.<sup>44</sup>

<sup>42</sup> UN Women (2015a).

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

#### Gender data in Viet Nam: achievements and gaps

In Viet Nam, censuses and surveys are among the most important data sources to producing gender statistics. Some sex-disaggregated statistics can be found in the Viet Nam Household Living Standards Surveys (VHLSSs). The 2005 Survey Assessment of Vietnamese Youth (SAVY), conducted by the Vietnamese Ministry of Health (MOH), General Statistics Office (GSO), United Nations Population Fund (UNFPA) and World Health Organization (WHO),<sup>45</sup> offered a comprehensive survey on youth as well as providing sex-disaggregated data on education, labour, sexual and reproductive health, and health behaviours. Finally, the Multiple Indicator Cluster Survey (MICS), conducted by the GSO with support from the United Nations Children's Fund (UNICEF), is part of an international household survey programme to compile internationally comparable data on the situation of women and children. It covers 12 domains, including child mortality, nutrition, child health, water and sanitation, reproductive health, early childhood development, literacy and education, child protection, HIV/AIDS, and access to mass media and use of information technologies. GSO Labour Force Surveys also contain valuable sex-disaggregated data, and make some effort to capture women's informal employment.<sup>46</sup> However, when there has been gender analysis of national datasets it has sometimes been of low quality due to limitation of capacities to analyse and work with large bodies of data. 47

There have also been a number of more specialized studies and surveys that concentrate on such issues as reproductive health, economic and labour issues, gender roles in the family, and marital relationships.<sup>48</sup> One example of this is the National Survey on domestic violence against women in Viet Nam conducted in 2010. However, these specialized studies are often small-scale, irregularly conducted, and specific to a province or commune, making it difficult to identify trends at a broader level, across time and to extrapolate from the findings.

One of the noteworthy efforts of the government to strengthen measurement of gender-related development, the advancement of women and gender equality in key socio-economic fields was the establishment of the National Gender Statistical Indicator System (NGSIS) in 2011. The United Nations supported the development of the NGSIS which

- 45 MOH et al. (2005)
- 46 UN Women (2016).
- 47 ibid.
- 48 UN Women (2008).

consists of 105 indicators – 60 pre-existing from the national statistical indicator system, 21 derived from the national system but disaggregated by sex and/or ethnicity, and 45 new. The following ten domains were covered: population; labour and employment; leadership and management; education and training; science and technology; culture, information and sports; health; family life; social security and protection; and state management on gender equality.

#### Specific gender data gaps identified in recent United Nations studies are:

- data on women's unpaid domestic and care work, including time-use surveys disaggregated by sex and age;
- sex-disaggregated data on child care and elder care, both on who is providing and receiving care;
- reliable, rigorous and regular data on gender-based violence (GBV), including but not limited to domestic violence, to monitor progress on responses to GBV;
- data on precarious employment, e.g. paid domestic workers;
- data on abortion, especially sex-selective abortion, abortions performed in private medical facilities;
- sex-disaggregated data on food security and nutrition;
- data on agricultural production, ownership and use of resources disaggregated to the individual rather than household level and capturing the roles and responsibilities of male and female, older and younger, household members;
- cross-tabulations showing how gender intersects with other characteristics such as place of residence, ethnicity, age and educational attainment of the workforce.

In addition to these gaps, stakeholders have found barriers in accessing the existing data. Little data is available online, and payment is often required for access to data held by the GSO. These barriers influence the ability of researchers, civil society, and the government itself to conduct analysis, make decisions and formulate policy informed by high quality, gender-sensitive, sex-disaggregated data.

However, despite the good intentions, the operationalization of the NGSIS faced many challenges. The MOLISA's review of the implementation of the database in 2016 showed that only 13 of the 105 indicators (12 per cent) were being updated with sex-disaggregated data; data for 67 indicators were collected but not fully disaggregated, and data for 25 indicators were not collected. The reason for this was that the indicators were not integrated into an existing data source of the sectoral surveys led by line ministries, or the indicators were difficult to collect in any of the existing data sources, for example: data on pregnant women aged 15-25 infected with HIV; number of women and children being trafficked; proportion of females having loans from employment programmes for poverty reduction; official credit sources; percentage of gender-mainstreamed legal documents; proportion of seats held by women in political and social organizations.<sup>49</sup> The NGSIS also only partially aligned with the United Nations Minimum Set of Gender Indicators, which were finalized after NGSIS.

Similarly, the National Assembly Committee on Social Affairs pointed out in its 2016 review of the Government's Report to the National Assembly on the implementation of national targets on gender equality in the 2011-2015 period that shortcomings in gender data collection are undermining the NGSIS. It was noted that data are unavailable or not disaggregated, thus it was not possible to monitor half of the targets set in the National Strategy on Gender Equality 2011-2020. A review and amendment of the NGSIS was recommended.

In 2015, the CEDAW Committee also noted the general lack of disaggregated data that are necessary for an accurate assessment of the situation of women and identification of discrimination, for informed and targeted policymaking, and for the systematic monitoring and evaluation of progress achieved towards the realization by women of substantive equality. It recommended that:

the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, ethnicity, location and socioeconomic status, and the use of measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention.<sup>50</sup>

<sup>49</sup> GSO and World Bank (2015).

<sup>50</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee). 2015. Concluding observations on the combined seventh and eighth periodic reports of Viet Nam, CEDAW/C/VNM/CO/7-8, July 6-24, 2015.

The Government has acknowledged that there are a number of improvements needed in the gender statistics system,<sup>51</sup> and is taking action to this end. In January 2016, the Prime Minister assigned the GSO-Ministry of Planning and Investment to review and revise the NGSIS to reflect the actual situation.<sup>52</sup> GSO is currently developing a National Action Plan on Gender Statistics 2016-2020 outlining how the requirements on gender statistics of this decision will be addressed. The overall goal is that by 2020, gender statistics in Viet Nam will meet the information needs of the Communist Party and the State managing agencies and policymakers concerned with gender equality, and the produced data meet the requirements for the national reports in Vietnam, and regional and international comparison in gender equality field.<sup>53</sup>

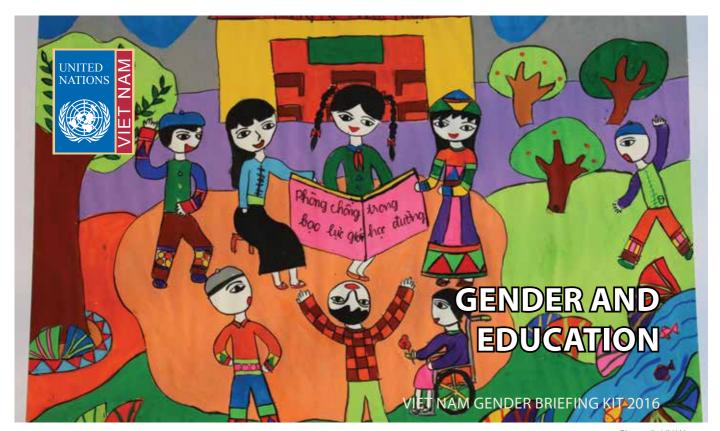
In the process, particular attention will be paid to:

- political commitment and clear assignments for State agencies on the implementation of regional core set of gender indicators, SDGs' gender indicators and national gender indicators;
- national capacity building on gender statistics data collection, analysis, processing and dissemination; filling data gaps through research and improvements in gender data collection and dissemination; and compiling and planning the publication of the book "Data on women and men".
- collecting data and ensuring its quality to meet requirements of national gender statistics indicators (including indicators as stated in the sets of national, regional and international gender statistics indicators and SDGs gender indicators). Developing database for gender statistics from 2017.
- Close cooperation between GSO and related agencies in the development of national reports on the implementation of Beijing Platform for Action (BPFA) 25+, SDGs, CEDAW, NSGE, etc.

<sup>51</sup> Ministry of Labour, Invalids and Social Affairs (MOLISA) Gender Equality Department (2014).

<sup>52</sup> Socialist Republic of Viet Nam. Decision 178/QD-TTg of 28 January 2016 of the Prime Minister on the Plan to implement the Notice no. 196-TB/TW of 16 March 2015 of the Secretariat Board on the Thematic Project "Strengthening the Party's leadership on gender equality and women's advancement works in the new situation".

<sup>53</sup> GSO (n.d.).



Picture©: UN Women

Historically, Viet Nam has placed great value on public education, but until 1945 it was accessible mainly to males. Under the literacy campaign of 1945, women were encouraged to join literacy classes and to enter higher levels of education. Since 1945, with the exception of some periods such as the 1980s, overall enrolment as well as female enrolment has grown steadily.

General levels of literacy are very high in Viet Nam for both males and females, and the male-female literacy gap has narrowed. In 1989, 93 per cent of males were literate compared to 82.8 per cent of females. By 2013, 96.6 per cent of males and 93.1 per cent of females were literate. The lowest percentages of literacy are found among women from ethnic minority groups and the poorest households: the 2014 MICS found that Kinh and Hoa women's literacy rate was 99.1 per cent, and that of ethnic minority women was 83.2 per cent. Women in the poorest wealth quintile had a literacy rate of 84.2 per cent compared to 100 per cent for the richest quintile. 55

<sup>54</sup> Socialist Republic of Viet Nam (2015).

<sup>55</sup> GSO and UNICEF (2015).

## **Primary/secondary education participation**

According to the national MDG report, "Viet Nam has eliminated gender inequality in education across all levels." According to the MICS report for 2014, of children who are of primary school entry age (six years) in Viet Nam, a high proportion (96.1 per cent) attended Grade 1, and sex and area differentials are minimal. The gender parity index (GPI) for primary school was 1.00, indicating no difference in the attendance of girls and boys at primary school. The GPI for lower secondary school was 1.03 and 1.11 for upper secondary school, indicating that there are more females than males at secondary school level.<sup>56</sup>

The out-of-school population reveals some gender gaps. Only 2.1 per cent of children aged 6-10 years were not attending school in 2014, i.e. 1.9 per cent for boys and 2.3 per cent for girls. The gap reverses itself at higher ages; overall, the percentage of girls in the total out-of-school population of lower and upper secondary levels was less than half in most regions and in both urban and rural areas. It was especially low (39.8 per cent) in the Central Highlands, which highlights the higher number of boys out of school in that region. However, the opposite trend was found in the Northern Midlands and Mountainous area where the majority of out-of-school children (54.3 per cent) at upper secondary level were girls. The MICS found that at both primary and secondary level, the rates of out-of-school children were strongly related to the educational levels of mothers (in particular, 62 per cent of out-of-school children aged 15-17 years were those with non-educated mothers currently out of school), which underlines the importance of women's education to the education of future generations.<sup>57</sup>

## **Tertiary education and vocational training**

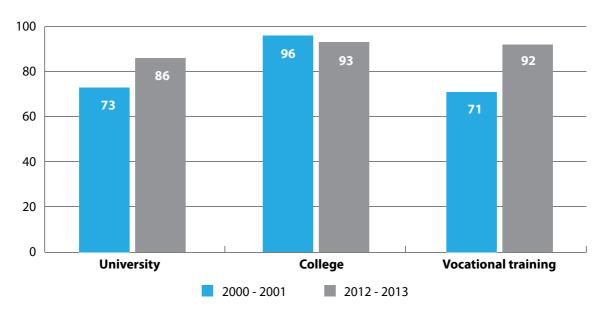
In tertiary institutions and vocational training institutions, although there is an improvement of female enrolment, men still outnumber women. The percentage of men holding college and university degrees is higher than that of women: in 2008. 5.7 per cent for men compared to 4.5 per cent for women, and in 2012, 7.5 per cent for men compared to 6.7 per cent for women.<sup>58</sup>

<sup>56</sup> ibid.

<sup>57</sup> ibid.

<sup>58</sup> GSO (2012). In MOLISA (2014).

Figure 1. Ratio of females to males in tertiary education and vocational training, 2000-2012



Source: Education Statistics 2000-2013 (Ministry of Education and Training, 2013)

While today there are more women in tertiary education, female and male students continue to be segregated into different fields of study because of the gender bias that persists about feminine and masculine subjects. Among students enrolled in tertiary education, men are considerably more likely to specialize in engineering, manufacturing, construction and services, while women are more likely to specialize in social sciences, education, humanities and the arts.<sup>59</sup>

Table 1. Workforce development: major fields of study in tertiary education, 2008-2013

2008	Female distribution (%)	Male distribution (%)	Percent female (%)
General programmes	3.7	3.5	50.2
Education	28.5	20.4	57.2
Humanities and arts	5.6	2.6	67.6
Social sciences, business and law	40.8	26.1	59.8
Enginessring, manufacturing, construction	10.6	29.2	25.6
Agriculture	5.7	7.2	43.1
Health and welfare	3.7	3.4	50.8
Services	1.4	7.6	15.1
TOTAL	100.0	100.0	48.8

2013	Female distribution (%)	Male distribution (%)	Percent female (%)
General programmes	2.9	2.3	51.0
Education	28.0	20.0	55.0
Humanities and arts	4.2	3.6	50.0
Social sciences, business and law	35.0	27.5	52.0
Enginessring, manufacturing, construction	17.7	29.7	34.0
Agriculture	5.7	5.8	46.0
Health and welfare	5.2	4.9	48.0
Services	1.4	6.1	17.0
TOTAL	100.0	100.0	44.1

Source: UN Women (2016).

Similarly, in vocational training centres, females are channelled into courses for traditionally female-dominated occupations such as tailoring and hairdressings, which often offer low

income.<sup>60</sup>This stratification limits women's future career prospects, especially in non-traditional areas of work, as well as earning potential, leaving them in more a vulnerable situation than their male counterparts. The CEDAW Committee called on Viet Nam to "intensify its efforts aimed at diversifying academic and vocational choices for women and men and take further measures to encourage girls and boys to choose non-traditional fields of education". <sup>61</sup>

## Programmes and policies for gender equality in education

The Government of Viet Nam has prioritized gender equality in the education sector. A priority objective of National Action Plan on Education for All for 2003-2015 was "Elimination of gender inequality in primary and secondary schools by 2005, achieving gender equality in education by 2015, ensuring girls' full and fair access to and fine completion of basic education."<sup>62</sup>

The National Strategy on Gender Equality 2011-2020 includes Objective 3 and the corresponding targets on gender equality in education and training. In particular, to achieve Objective 3, a set of implementation measures have been defined, including: integrating gender equality content into national education system's curriculum; developing specific policies for a number of target groups, including rural and ethnic minority women and girls; reviewing and removing gender stereotypes in the content and images of current textbooks; and implementing gender mainstreaming in education policies, programmes and plans.

The Action Plan on Gender Equality of the Education Sector 2012-2015 was implemented by the Ministry of Education and Training (MOET) to achieve the above goal of NSGE 2011-2020 and to contribute towards the advancement of women in education and training sector. The Action Plan prescribed specific objectives for all areas and levels of education, from policy to practice and for the establishment of the Education Sector's Committee for the Advancement of Women, which would be directly responsible for developing annual work plans and monitoring the progress and achievements of objectives. Accordingly, a wide range of activities were executed by MOET, including: implementation of the illiteracy eradication programme for women aged 35-40 in ethnic minority areas and areas that are socio-economically disadvantaged; mainstreaming gender equality issues in all textbooks in

<sup>60</sup> Ministry of Labour, Invalids and Social Affairs (MOLISA) Gender Equality Department (2014).

<sup>61</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee). 2015. Concluding observations on the combined seventh and eighth periodic reports of Viet Nam, CEDAW/C/VNM/CO/7-8, 6-24 July 2015.

<sup>62</sup> Government of Viet Nam (2013).

general; reviewing and removing contents and images that reinforce gender stereotypes in textbooks in particular; incorporating sexuality education into school curriculum.<sup>63</sup>

A new Action Plan on Gender Equality of the Education Sector 2016-2020 was approved in October 2016.

### **Remaining challenges**

According to Viet Nam's 15-year MDG progress report, although there have been significant improvements and increases in educational spending, "Viet Nam still needs to rigorously upgrade the quality of education to strengthen its human capital and meet the demands of a growing economy." In addition, inequality in educational access and quality persists among different ethnic and socio-economic groups and disparate geographical regions.<sup>64</sup>

Gender gaps in educational access are particularly evident in the education of ethnic minority young people and those from poor households. Ethnic minority girls are the most likely never to have attended school. In the 2012 VHLSS, the share of the over-15 population in the poorest quintile who had never attended school or had no diploma was 38 per cent compared to just 8.1 per cent for the richest quintile;<sup>65</sup> of the 38 per cent, 24 per cent were female and 15 per cent male. Thus, one-quarter of Viet Nam's poorest citizens are females who have never attended school or had no diploma.

People with disabilities comprise another group where glaring gender gaps in education are apparent. While overall literacy rates are more or less equal for young women and men in Viet Nam, a report by UNFPA indicates that illiteracy rates among young people aged 15-24 with disabilities show significant gender gaps, particularly among those with severe or multiple disabilities. <sup>66</sup>, <sup>67</sup> This is because, overall, children with disabilities experience exclusion from schooling and social life, and girls with disabilities are doubly disadvantaged. The 2009 Census findings showed that while 96.8 per cent of all primary school children aged 6 to 10 years

<sup>63</sup> Ministry of Labour, Invalids and Social Affairs (MOLISA) Gender Equality Department (2014). National Review: 20-year Implementation of the Beijing Platform for Action and the Outcomes of the 23rd Special Session of the General Assembly in Viet Nam.

<sup>64</sup> Socialist Republic of Viet Nam (2015)

<sup>65</sup> GSO (2012).

<sup>66</sup> UNFPA (2011b).

<sup>67</sup> The only exception in terms of disability status is young people with visual impairments where illiteracy is higher for males than for females.

were attending school at the time of the survey, the proportion for children with disabilities was 66.5 per cent, and for children with severe disabilities, it was much lower, at 14.2 per cent. The survey also showed that the ratio of girls to boys attending all levels of education, which is close to parity for the whole population, is about 70 per cent among children with disabilities, especially those with serious or multiple disabilities – i.e. even among the small group of children with disabilities who attend school, boys outnumber girls.<sup>68</sup> International research indicates many reasons for this, including the tendency for girls with disabilities to be kept at home where they become caregivers for their siblings.<sup>69</sup>

The literature on education for girls with disabilities in Viet Nam argues that:

while gender equality has been regarded as a critical issue in Viet Nam, gender inequalities for women and girls with disabilities remain unaddressed. It has highlighted that girls with disabilities have been much more disadvantaged than boys with disabilities and more disadvantaged than girls without disabilities in terms of opportunities and access to education.<sup>70</sup>

In terms of quality of education, the Government of Viet Nam acknowledges that gender stereotypes and biases persist in education. Accordingly, MOET has been making efforts to mainstream gender in training programmes at colleges, universities and continuing education programmes, textbooks, teaching guides and picture images in order to eliminate gender bias in teaching and learning practices.<sup>71</sup> These efforts have benefitted from partnerships between UNESCO and the Government of Viet Nam, as well as between UNICEF and MOET, to support gender mainstreaming as well as to promote the use of gender-based, rights-based and sex-disaggregated data in education planning, research, monitoring and evaluation, and budget allocation both at the national and sub-national levels. These interventions have resulted in enhanced gender-responsiveness in the education system in Viet Nam.

Despite these efforts, a 2013 UNESCO/MOET review of textbooks found that the visibility of male and female characters and authors in teaching materials was overwhelmingly skewed towards men. It was also found that the prevalence of male characters was found to increase

- 68 UNFPA (2011b).
- 69 UNICEF (2013).
- 70 Nguyen and Mitchell (2014).
- 71 Government of Viet Nam (2013).

with the level of education, which indicates that as students continue with further study, increases in gender disparities and stereotyping in instructional material may increasingly influence attitudes and gender bias among students.<sup>72</sup> In addition, stereotypical portrayals of men and women were very common, with men and boys being portrayed as heroic, strong, intelligent, liable to engage in "bad" or risky behaviour, and able to do complicated and physically challenging jobs, while girls and women were typically portrayed as nice, caring, clean and ordered, weak and emotional.<sup>73</sup>

In conclusion, in addition to significant gender disparities in education for ethnic minorities, the poor, and people with disabilities, Viet Nam still faces challenges in ensuring high quality education for young people of all ethnic groups, in urban and rural areas, and in all parts of the country. There is still a need for gender equality to be mainstreamed in many realms including planning, management, teacher training, curriculum and educational materials.

<sup>72</sup> UNESCO Bangkok and Korean Women's Development Institute (2013).

<sup>73</sup> UNESCO/MOET). 2011. National Textbook Review and Analysis from a Gender Perspective: Report of Findings. In World Bank (2012).



Photo©: UN Women/Hoang Hiep

Health status and outcomes for all individuals are influenced by many factors, including biological, social and economic differences between women and men. In Viet Nam, this is evident when gender limits women's access to care and services, or reduces opportunities to acquire knowledge on reproductive health and safer sexual practices including protection from HIV. This environment limits the ability of women to negotiate family planning including condom use, or may pressure young men into risky sexual behaviours in an attempt to prove their masculinity.

The Vietnamese Government continues formulating and enacting new policies to ensure the rights of women and girls to have access to health services, thus improving people's health care quality. In addition to the overall Strategy for Protection, Care and Improvement of People's Health for the period 2011-2020 with a vision to 2030 and the Strategy for Population and Reproductive Health period 2011-2020, the following have been implemented with the ultimate aim of ensuring people's and especially women's access to health care services: the Safe Motherhood Programme; a communication scheme to raise awareness on reproductive and sexual health, HIV/AIDS prevention and control for adolescents, women and men; and the Plan of Action on gender equality for the period 2011-2015 in the health sector.

Although Viet Nam has made great strides in achieving gender equality in health (see Table 2), there are still several areas where disparities in health outcomes are of concern. These disparities are frequently compounded by age, ethnicity, regional origin, economic status and the urban/rural divide.

Table 2. Changes in selected health indicators, 1990-2015

	1990	2007	2011	Most recent available
Total fertility rate per women 15-49	3.66	2.07	1.8	1.7 (2013)
Adolescent fertility rate – births per 1,000 women 15-19			35.0	38.1 (2014)
Contraceptive prevalence for women 15-49 (per cent)	53	79	77.8	
Maternal mortality ratio per 100,000 live births	160	75.1		49.0 (2013)
Infant mortality rate per 1,000 live births	48	16 (2006)	19.3	17.3 (2015)
Infant mortality – male per 1,000 live births				24.6 (2015)
Infant mortality – female per 1,000 live births				15.0 (2015)
Under-5 mortality rate – total	60	26	24.2	21.7 (2015)
Under-5 mortality rate – female				18.7 (2015)
Under-5 mortality rate – male				24.6 (2015)
Life expectancy at birth – total	64.7	74	75.5	75.8 (2013)
Life expectancy at birth – female			80.3	80.5 (2013)
Life expectancy at birth – male			70.9	71.3 (2013)

Source: World Bank (2015).

### Gender and equity issues in health care

The health care system in Viet Nam combines a public and private health care provision. One of the overall goals of the system is social equity in health care. With the economic reforms since the 1980s, a range of reforms have been introduced in the health system, including the introduction of user fees and hospital fees, the legalization of private medical practice, and the introduction of health insurance schemes at the national level. At the same time, policies supporting disadvantaged groups have been introduced. The Law on Health Insurance, which came into force in 2009 and amended in 2014, allows for employer-financed coverage for all workers with at least a three-month work contract. It also provides for free health insurance for the poor (including members of poor households, ethnic minority members living in socio-economically disadvantaged regions, people living in extremely socio-economically disadvantaged regions), children under six, people receiving old-age or disability pensions, or unemployment insurance, people over 80 years of age, and people classified as being in need. This law sets a target of having 75 per cent of all citizens insured by 2014 and 80 per cent by 2020.74 A 2012 study of equity in the health care system found that about 60 per cent of the population were covered by health insurance in 2010, and that even among the most disadvantaged groups, the rate of coverage was relatively high. Gender differences in coverage were found to be negligible.<sup>75</sup> A more recent study conducted by the Institute for Social Development Studies (ISDS) showed a similar result, i.e. that the proportion of women with medical insurance is slightly higher than that of men (56.11 per cent versus 52.19 per cent). This may be due to women being more concerned about health care when it concerns themselves and their family members.<sup>76</sup>

There were, however, gender differences in the extent to which individuals access medical services: in 2012, 43.6 per cent of females used medical services compared to only 34.6 per cent of males.<sup>77</sup> This difference is explained by the higher prevalence of illness among females.<sup>78</sup>

However, because of traditional gender roles, in all cases, women bear a disproportionate share of the care burden in cases of disability or illness in the family. With the loss of an

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74 PAHE (2012).
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<sup>75</sup> ibid.

<sup>76</sup> ISDS (2015).

<sup>77</sup> GSO (2014c).

<sup>78</sup> PAHE (2012).

adult male of working age, for example, a wife may have to care for her husband, perform the housework and child care, and supplement the family income by working outside the home.

### Maternal and reproductive health

Viet Nam has made remarkable progress in reducing the maternal mortality rate (MMR). Under MDG 5, Improving Maternal Health, Viet Nam aimed to reduce the MMR to 58.3 per 100,000 live births by 2015, from 233 in 1990. It has come very close to meeting this target: between 1990 and 2006, the MMR dropped rapidly, but after 2006, the annual reduction rate slowed. Nevertheless, by 2014, the national MMR reached around 60, or about 580 to 660 reported deaths per year.<sup>79</sup>

This and other improvements in reproductive health can be attributed to a number of programmes including access to trained birth attendants, better access to antenatal care, improvements to health care networks, and effective communication campaigns. Further reductions in MMR will depend on the success in addressing inequalities among different regions and socio-economic groups. In 2008, the MMR for urban areas was 79, while that for rural areas was 145 per 100,000 live births. The discrepancy is highest for mountainous regions, i.e. economically disadvantaged regions with poor health care facilities and high concentrations of ethnic minorities.<sup>80</sup> The Government acknowledges that efforts are needed to reduce gaps between regions, between urban and rural areas, and between ethnic groups.<sup>81</sup>

The adolescent birth rate (ABR) is an area of concern because it is a significant health risks for young women and their babies and is also associated with early and child marriage, early school dropout, inadequate services for adolescents and youth. According to the 2014 MICS, the birth rate for women aged 15-19 years was 45 births per 1,000 women, with a rate in rural areas more than double that of urban areas (56 births per 1,000 women in rural areas against 24 in urban areas). Adolescent fertility is also related to economic status, regional location and ethnicity, with higher rates among the poorer quintiles, and women in the Northern Midlands and Mountainous area and Central Highlands which are home to high concentrations of ethnic minority people and where the ABR is about three times the rate for other regions due to the harmful practice of early and child marriage.<sup>82</sup>

<sup>79</sup> Socialist Republic of Viet Nam (2015).

<sup>80</sup> ibid.

<sup>81</sup> Government of Viet Nam (2013).

<sup>82</sup> GSO and UNICEF (2015).

### **Contraception and abortion**

Not surprisingly, reported contraception use is high. The contraception prevalence rate (CPR) grew steeply during the 1990s with slower growth since 2000. The 2014 MICS reported a use rate of 75.7 per cent among women currently married or in a union. The Mekong Delta, Red River Delta and North Central and Central coastal areas have the highest CPRs, while mountainous areas such as Northern Midlands and Central Highlands reported much lower rates of contraceptive use. The percentage of ethnic minority women using any method (70.6 per cent) was lower than that of Kinh and Hoa women (76.6 per cent), but interestingly, ethnic minority women are more inclined than Kinh and Hoa women to use modern methods of birth control.<sup>83</sup> The more educated, richer and older a woman is, the more likely she is to use a traditional contraceptive method such as periodic abstinence or withdrawal rather than modern methods such as female/male sterilization, the Intra Uterine Device (IUD), injected contraception, implants, the pill and male/female condoms.<sup>84</sup>

Between 2011 and 2014, according to the Viet Nam MDG report, overall contraception prevalence decreased somewhat. However, factors such as women's education, wealth and ethnicity, which were insignificant in 2011, came to have a greater effect on contraception prevalence among women in these different groups by 2014. The decrease in contraceptive use was much more evident for minority women than Kinh women. Similarly, the poorest quintile saw a decrease in the CPR of 4.3 percentage points, while the richest group saw a rise of 0.3 percentage points.<sup>85</sup>

'Unmet need for family planning' refers to fecund women age 15-49, in marriage or union not using any method of contraception, but who wish to postpone the next birth or who wish to stop childbearing altogether. The average national figure is 6.1 per cent, with a higher prevalence in rural areas and the mountainous regions of the Northern Midlands and Central Highlands. Women aged 15-19 had the highest rate of unmet need for contraception.<sup>86</sup>

Abortion is legal in Viet Nam and is available at all levels of the health system. Accurate, complete, and up-to-date, substantiated statistics on abortion rates are very difficult to find,

<sup>83</sup> ibid.

<sup>84</sup> Socialist Republic of Viet Nam (2015).

<sup>85</sup> GSO and UNICEF (2015).

<sup>86</sup> ibid.

but the numbers appear to be relatively high in comparison with other Asian countries.<sup>87</sup> Viet Nam's 2014 updated report to the CEDAW Committee reported a total of about 228,000 abortions in 2014 vs. 1,225,560 live births, and a nationwide 2014 abortion rate of 19 per 100 live births, with a reported decline in the Northern Midland and Mountainous Region and the Red River Delta. However, these figures apparently do not capture abortion data from private and semi-private clinics, or from public facilities providing private services.

Pregnancy and abortion among young and/or unmarried women is a cause for concern – so much so that the 2013 CEDAW State report declared, "abortion in youth is at an alarming level". The 2014 update to the CEDAW report noted that the nationwide rate of teenage pregnancy in 2014 was 2.8 per cent, compared to 3.16 per cent in 2013. However, this ratio was significantly higher for the Northwest (5.6 per cent), the Central Highlands (5.0 per cent), and the Mekong River Delta (3.9 per cent). The nationwide teenage abortion rate was 2.2 per cent, equal to the 2013 level, with the highest figures reported in the Mekong River Delta and the Southeast.

Inadequate access to information and knowledge on sex, sexual and reproductive health and rights due to lack of comprehensive sexuality education at schools, lack of the use of condoms, and the relative lack of power of younger women to negotiate safe sex, result in a significant number of unwanted pregnancies and unsafe abortions among young women, particularly among poorer women.<sup>89</sup> A 2012 UNFPA report indicated that between 2007 and 2010, the abortion rate among youth and unmarried women increased significantly. While the majority of abortions were among married women, one-fifth to one-third of women who had abortions were young and unmarried. Adolescents had the most difficulty in accessing family planning and abortion services, health information and health care services.<sup>90</sup> High rates of abortion may also indicate that it is being used as a form of contraception, because the stigma associated with premarital sex leads to the low use of condoms and other birth control methods.

An important contextual factor influencing family size, contraceptive use and abortion in Viet Nam is the Population Ordinance of 2009, which dictates that each couple should have

According to a recent unofficial on-line news report, Vietnam ranks first in Asia and is among the top five countries in the world in terms of abortion, with about one million cases per year on average, or 59.1 abortions per 100 live births (Tuoi Tre newspaper, 2014).

<sup>88</sup> Government of Viet Nam (2013).

<sup>89</sup> Socialist Republic of Viet Nam (2015).

<sup>90</sup> UNFPA (2012).

no more than one or two children, and that the practice of family planning is obligatory. Although the population legislation is under review, it is uncertain whether the basic policy will be revised. It should be noted, however, that the right of an individual to freely decide on having or not having children is enshrined in a number of international agreements to which Viet Nam is party, including CEDAW, the Programme of Action of the International Conference on Population and Development (ICPD) and the Beijing Platform for Action, and this right is affirmed in the SDGs.

Another factor contributing to the high rate of abortion specifically among married women is the prevalence of son preference and the consequent abortion of female foetuses, resulting in Viet Nam's abnormally high ratio of male to female births (discussed in more detail in Chapter 9 on Violence against Women). The compound effect of son preference and the Revised Population Ordinance of 2009, which limits family size to two children, is that families whose first child is a daughter, recur to sex-selective abortion to ensure the birth of at least one son.

#### **HIV/AIDS**

In 2014, there were an estimated 256,000 people living with HIV in Viet Nam, 25.8 per cent (66,000) of whom were women.<sup>91</sup> The epidemic is concentrated primarily among people who inject drugs, men who have sex with men, and female sex workers. The number of new HIV infections in Viet Nam decreased rapidly between 2007 and 2009, and has stabilized at around 14,000 per year since 2010.<sup>92</sup> However, the proportion of adults living with HIV who are female has risen steadily. The MDG country report puts this figure at 13.7 per cent for 2000 and 32.5 per cent for 2013.<sup>93</sup> A substantial proportion of all new infections are occurring among women who are in long-term sexual relationships with men who are living with HIV, particularly men who inject drugs, but also men who have sex with men, and men who buy sex. In 2013, male-to-female intimate partner transmission accounted for an estimated 28 per cent of new HIV infections.<sup>94</sup> A study has shown that nearly 54 per cent of infections among all women in Viet Nam can be solely attributed to the risk behaviour(s) of their male sexual partners, and that condom use by men who inject drugs is particularly inconsistent when a

<sup>91</sup> Ministry of Health, EPP Technical Working Group (2013).

<sup>92</sup> VAAC (2014).

<sup>93</sup> Socialist Republic of Viet Nam (2015).

<sup>94</sup> VAAC (2014).

### woman does not know her partner's HIV status.95

Gender equality is mentioned in the guiding framework for the response to HIV, including the Law on HIV/AIDS Prevention and Control (2006) and the National Strategy on HIV/AIDS Prevention and Control to 2020 with a vision to 2030. The framework provides a good starting point from which to tackle the gender dimensions of the epidemic, with objectives, activities and targets that can be built on, refined and implemented. However, the National Strategy does not adequately address the gender dynamics of the epidemic in Viet Nam, nor does it deal with the disproportionate impact of HIV on women and girls, including women and girls in the key population and the female intimate partners of men who inject drugs or have sex with men. There is little acknowledgement of the ways in which gender inequality and HIV are linked, including the impacts of gender inequality on vulnerability to HIV, or of the need for HIV-related policy, laws and strategies to be reinforced by a strong rights-based approach that has at its core substantive gender equality and recognizes the needs of women and girls living with or vulnerable to HIV in all their diversity. The response also focuses heavily on pregnant women and the prevention of mother-to-child transmission (PMTCT), to the exclusion of many other women, which reflects the value placed on women in their traditional reproductive role. As regards intimate partner transmission risks, there is an artificial and unhelpful distinction between women who engage in risk behaviours, and women who are at risk because of a sexual relationship with a man who engages in risk behaviours; this ignores the fact that the risk for women who are already at risk of HIV may multiply if they are the intimate partner of such a man.<sup>97</sup>

It was noted in the national MDG review and report that Viet Nam did not completely fulfil the MDG targets for Goal 6, Combatting HIV/AIDS, malaria and other diseases, and there are still elements of the HIV goal that need to be achieved.<sup>98</sup> Going forward, Viet Nam has committed to both the Joint United Nations Programme on HIV/AIDS (UNAIDS) Fast-Track strategy<sup>99</sup> and the 17 new SDGs. However, the current approach fails to acknowledge certain issues such as the impact of unequal power relations, gender identity and harmful social norms that demonize certain behaviours, and does not sufficiently incorporate measures to

<sup>95</sup> UNAIDS and UN Women (2012).

<sup>96</sup> UN Women (forthcoming).

<sup>97</sup> Ibid.

<sup>98</sup> Socialist Republic of Viet Nam (2015).

<sup>99</sup> UNAIDS (2014).

achieve substantive equality.100

In terms of prevention, a strong programme is needed that provides targeted information and enables women and girls to protect themselves. However, there is still no universal access to male condoms and to female condoms.<sup>101</sup> The mainstay of the prevention programme is information and communication, yet in many instances, the messages are generic and do not properly target women and girls, especially those most at risk such as women from key populations and ethnic and migrant women. Harm-reduction programmes are targeted at men, failing to take into account women who use drugs.<sup>102</sup>

While Viet Nam has made progress in increasing access to antiretroviral treatment, closer attention needs to be paid to the different health-seeking behaviours of men and women and the ways in which women's multiple roles (reproductive, productive and community) hamper access. The expense of CD4 counts and viral load testing and treatment for opportunistic infections can also prove a barrier for women in particular due to their disadvantaged position in relation to men in decision-making and access to economic and social resources.

Despite considerable gains in PMTCT, the integration of these services into maternal health services has not been fully implemented due to limitation of funding.<sup>103</sup> In addition, although research points to the importance of involving men in PMTCT, there is no clear strategy to do so.

Gender inequality impacts on how stigma and discrimination is experienced – men and women experience both stigma and discrimination, and the fear of stigma and discrimination, differently. Gender norms affect the types of stigma associated with being a woman living with HIV, which can be compounded by stigma related to risk behaviours, ethnicity, poverty and others. The fear of being stigmatized impacts on health-seeking behaviours: women choose to postpone visits to the clinic or hospital, or to pay extra to visit a private health care provider.

The link between GBV and HIV is not well documented in Viet Nam, and women seeking services for violence-related injuries are rarely offered HIV testing or post-exposure

100 UN Women (forthcoming).

101 ibid.

102 ibid.

103 ibid.

prophylaxis.<sup>104</sup> Similarly, women living with HIV who seek treatment care and support services are not screened for GBV. There are reports of women living with HIV who have been coerced into sterilization and/or abortion, and some women are concerned about the consequences of using family planning and reproductive health services, especially when pregnant, due to punitive approaches to sex work and drug use.<sup>105</sup> HIV programming has given little attention to the sexual and reproductive health decision-making of women living with HIV. Although social protection is available in the form of social insurance schemes and social welfare services, they are not meeting the needs of vulnerable women living with HIV. In particular, women are concerned about the affordability of social health insurance, particularly under new rules regarding household enrolment, and may be unaware of their right to access social protection.

Finally, Viet Nam has a wide range of legislation to protect the rights and legal interests of people living with HIV, and mechanisms for legal redress where the provisions of the Law on HIV are violated. Women living with HIV have particular legal aid needs because they often face losing their home, custody of their children, and property and inheritance rights, while women who engage in sex work report high levels of discrimination. Although people living with HIV are eligible for free legal aid, accessing it involves disclosing their status and thus increasing the risk of stigma and discrimination, which again has gendered implications. In addition, access to such aid is not consistent around the country and insufficiently funded.<sup>106</sup>

Gender-transformative approaches are critical in addressing the root causes of gender inequality and women's inferior position in intimate relationships, the household, the family, the community and society in order to reduce their risk and increase their access to services. Although such programmes may not appear to fall within the remit of the HIV response, they are crucial in challenging the gender/social norms that play out daily and are the reasons that women are unable to protect themselves from HIV infection and that women living with HIV experience greater stigma and discrimination, face more barriers to services, and are more marginalized or even invisible in the response.

<sup>104</sup> For example, while there is brief mention of pre-exposure prophylaxis (PreP) for key populations in the National Work Plan on HIV/AIDS Prevention and Control 2016-2020, post-exposure prophylaxis for survivors of sexual violence is not included. Ministry of Health (2015).

<sup>105</sup> UN Women (forthcoming).

<sup>106</sup> ibid.

## Mental health and wellbeing

Data on gendered patterns in mental health are scarce for Viet Nam. However, a number of studies indicate that there is a high prevalence of psychological/psychiatric disorders among women, which can be linked to cultural and socio-economic factors.

For example, an empirical study of mental disorders among pregnant women and those who had recently given birth revealed a higher prevalence of common perinatal mental disorders in women in Viet Nam than in high-income countries, and that the prevalence was higher in poor rural areas than in urban areas. The study found that perinatal mental disorders, particularly depressive disorders, are caused by multiple factors, and the inter- and intra-country variations in prevalence are determined by social factors such as poverty and exposure to GBV rather than individual psychological and biological factors. The authors also point out that close supportive relationships with the spouse and parents helped to protect women from mental disorders, but Viet Nam's current mental health services only treat people with severe and chronic psychiatric illnesses, and thus "the needs of women with common perinatal mental disorders go largely unrecognized and virtually no services are provided to address them". <sup>107</sup>

These findings can be extrapolated to the population as a whole. A major factor influencing both the mental and physical health of women and girls is the high prevalence of GBV, which beyond the obvious physical manifestations interferes with daily work and activities, and often results in anxiety, depression and suicidal thoughts; this issue is dealt with in more detail in Chapter 9.

More evidence on gendered patterns of mental wellbeing among youth can be found in the two Survey Assessment of Vietnamese Youth (SAVY) studies (2003, 2010). SAVY 1 reported on gender differences related to suicide, noting that while more young men had deliberately tried to injure or harm themselves, more young women report suicidal thoughts. About 25 per cent of the total sample, including slightly more females than males, said they had felt "very sad or helpless" that they ceased normal activities and found it difficult to function. This figure reached 34 per cent among ethnic minority girls. Alarmingly, in SAVY 2, these findings were reversed: 4.1 per cent of youth aged 14–25 had considered suicide, and twice as many young women than young men had actually committed suicide. Suicidal thoughts

107 Fisher, et al. (2010).

108 Ministry of Health et al. (2005).

were more common among urban than rural youth. One-quarter of the surveyed youth aged 14–25 who had ever thought of suicide reported that they had attempted it. The study found that the number of youth reporting suicide attempts had doubled since SAVY 1, from 42 in SAVY 1 to 102 in SAVY 2. The number of suicide attempts by females was considerably higher than that of males (29.3 per cent and 17.5 per cent, respectively). The suicide rate was highest among married people who experienced violence. In addition, 41.3 per cent of individuals who were survivors of spousal violence, presumably most if not all females, reported having attempted suicide.

## Women and girls with disabilities

The Economic and Social Commission for Asia and the Pacific (ESCAP) Disability at Glance Report 2012 shows disability prevalence in South-East Asia ranging from 1 per cent in Lao People's Democratic Republic to 7.8 per cent in Viet Nam. Of the 48 Asia-Pacific countries surveyed in 2011, Viet Nam had the eighth highest prevalence.<sup>109</sup> This figure represents 6.1 million people who are living with one or more disabilities in the six core functional domains, of which 385,000 are persons with severe disabilities. The prevalence of disability is slightly higher for females than for males, at 8.4 per cent among females versus 7.0 per cent among males aged 5 years or older.<sup>110</sup>

Given the intersectionality of gender and disability, "while gender disparities continue to exist in the general population, they are more pronounced among people with disabilities (PWD)". In recent years, Viet Nam has made considerable progress on behalf of the general population in the areas of gender equality, education and empowerment of women. However, data also clearly show that female PWD, both children and adults, "lag behind". UNFPA's disability-focused analysis of the 2009 census reveals conspicuous gender disparities, particularly in education, labour force participation and unemployment rates for persons with disabilities.

109 UN ESCAP (2012).

110 UNFPA (2011b).

111 ibid.



Photo©: UN Women/Hoang Hiep

One of the priorities of the NSGE 2011-2020 and NPGE 2011-2015 has been to reduce gender gaps in labour and employment, and increase access of poor rural and ethnic minority women to economic resources and the labour market. Many programmes and projects have been adopted by the Government to improve women's access to job opportunities and competitiveness in the job market through the creation of favourable conditions for women. The revision of the Labour Code in 2012 also introduced a number of improvements in Chapter 10 dedicated to creating an enabling environment for women workers. It guarantees protection for women's right to work on the basis of equality and requires the State to adopt measures to create flexible conditions for women to work and acquire occupational skills. The new provisions are aimed at enhancing gender equality in hiring, training, working hours, rest periods, salaries and other benefits.

# Government programmes and projects promoting women's participation in the economy

- National Targeted Programme on Employment and Vocational Training for the period 2012-2015 under Decision No. 2101/QD-TTg of 31 August 2012;
- Project on "Vocational Training for Rural Workers up to 2020 under Decision No. 1956/
   QD-TTg of 27 November 2009 of the Prime Minister;
- Project on "Support for women's vocational training and employment period 2010-2015" under Decision No. 295/QD-TTg of 26 February 2010 of the Prime Minister;
- Project on supporting poor districts to boost labour export, contributing to sustainable poverty reduction period 2009-2020 under Decision No. 71/2009/QD-TTg of 29 April 2009 of the Prime Minister;
- Project "Supporting and developing the private-sector independent children groups in non-industrial areas and export processing zone" under Decision 404/QD-TTg of 20 March 2014.

## Labour force participation and general situation of women in the workforce

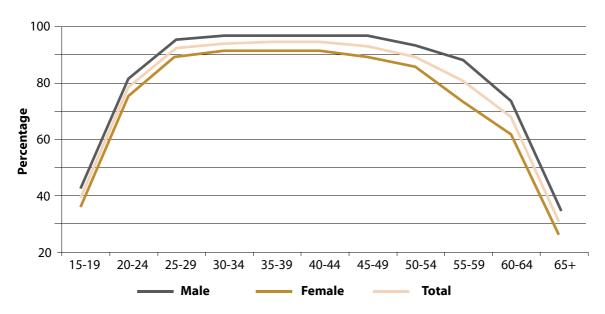
Labour force participation rates are relatively high for both men and women in Viet Nam. In 2014 the national participation rate was 77.7 per cent; the rate was 82.5 per cent for males and 73.3 per cent for females. In the same year, just over one-half of the employed population was male, and just under half was female.

The female share of the labour force varies little between urban and rural areas but ranges from 46 per cent in the Mekong River Delta to 51 per cent in the Red River Delta. In all six socio-economic regions, the labour force participation rate of women was consistently lower than for men. Similarly, the participation rate of women is lower than men in all age groups. From 2002 to 2012, the rate of increase in employment among female workers was lower than that of male workers, at 2.4 per cent per year compared with 2.8 per cent per year for males, resulting in a declining share of the total number of jobs for female employees, from 48.6 per cent in 2002 to 48.3 per cent in 2012.<sup>112</sup> The male-female gap in labour force participation

<sup>112</sup> UN Women (2015b).

peaks in the 55-59 age group, with a gap of 15.7 percentage points. This is a clear illustration of the impact of the earlier statutory retirement age for women.<sup>113</sup>

Figure 2. Age-specific labour force participation rate, by sex, 2014



Source: GSO (2014b).

As Table 3 illustrates, there are distinct gender differences in the employment structure among the economically active population in Viet Nam. In 2012, according to the VHLSS, about 56 per cent of males and 51 per cent of females were engaged in non-farm employment, while about 44 per cent of males and 49 per cent of females worked in agriculture. However, while men were more likely to obtain wage employment in either sector, women were far more likely than men to be self-employed. The largest segment of the female workforce was self-employed in agriculture, while the largest segment of the male workforce had waged non-farm employment. Both men and women experienced significant growth in non-farm employment over the previous decade, of about 12 percentage points over the 2002 figures. However, the rate of job mobility away from agriculture among female workers is lower than that of males. The proportion of women working in agriculture, forestry and aquaculture in 2012 decreased by 1.7 per cent from 2011, compared with a decrease of 2.4 per cent for men.

113 GSO (2015).

114 GSO (2012).

Table 3. Employment structure of economically active population aged 15 years and older, 2012 (per cent)

Tota	al	Farm wage employment	Farm self-employment	Non-farm wage employment	Non-farm self-employment
Male	100.0	5.8	38.0	40.3	15.9
Female	100.0	3.6	45.4	28.8	22.1

Source: VHLSS 2012

Wage workers account for about one-third of the employed population, while the other two-thirds of the workforce (32.8 million people) are either own-account workers or unpaid family labour. Own-account work and unpaid family labour are considered by the International Labour Organization (ILO) to constitute "vulnerable employment". Workers in vulnerable employment are less likely to have formal work arrangements and are therefore more likely to lack decent working conditions, adequate social protection and entitlements security and 'voice' through effective representation by trade unions and similar organizations. Vulnerable employment is often characterized by inadequate earnings, low productivity and difficult conditions of work that undermine workers' fundamental rights. The majority of unpaid family workers in Viet Nam are female – 68.2 per cent of the female labour force is in this category compared to 56.6 per cent of the male labour force. More rural than urban workers are classified as own-account or unpaid family labour. In addition, the gender gap in vulnerable employment increases with age, and vulnerable employment is especially prevalent among female workers in their fifties.<sup>115</sup> Although the proportion of women in this category has declined in the last five years, and women in the wage worker category has increased, women wage workers experience greater insecurity than men. In 2014, the share of workers without labour contracts was significantly higher for women (49 per cent) than for men (36 per cent), and higher in rural areas (53 per cent) than in urban areas (21 per cent). 116

The gendered employment patterns also vary according to age group. A recent ILO report finds that workers under 25 years of age have a higher proportion of waged employment compared to other age groups, with a minor gap between men and women. However, female workers between the ages of 25 and 54 are much less likely to have wage employment compared to their male counterparts. The lowest rates of female wage employment can be

<sup>115</sup> GSO (2015).

<sup>116</sup> ibid.

found among women who are over 55.117 The results are summarized in Table 4.

Table 4. Wage employment, by sex and age group, 2013

	Ages 15 - 24	Ages 25 - 54	Ages 55+	Total
Total (000s)	3,317.1	13,852.2	1,016.2	18,185.4
Male	1,881.4	8,101.1	733.0	10,715.6
Female	1,435.7	5,751.1	283.1	7,469.9
Total (% of total employment)	44.7	37.6	12.8	34.8
Male	45.7	43.3	18.4	39.9
Female	43.4	31.7	7.2	29.4

Source: ILO Country Office for Viet Nam (2015).

There is a clear gender division of labour in terms of the sectors in which women and men are typically employed. For instance, the transportation and storage (9.8 per cent), construction (9.8 per cent) and the energy sector (16.1 per cent) employ a very small share of women. Sectors where female workers predominate include hired domestic help (93.0 per cent), education and training (71.1 per cent) and hotels and restaurants (69.6 per cent). There is also a strong pattern of vertical segregation, with a much smaller proportion of women than men in management positions in both the public and private sectors. There is also a gender difference in access to training opportunities: 86.3 per cent of female workers are without training compared to 82.6 per cent for male workers.

The official unemployment rate in 2014 was very low, and about equal for males and females (2.09 per cent for males and 2.10 per cent for females). However, unemployed youth aged 15-24 accounted for almost one-half of the total unemployed population of the country, and

<sup>117</sup> ILO Country Office for Viet Nam (2015).

<sup>118</sup> GSO (2015).

<sup>119</sup> UN Women (2015b).

the rate is higher particularly so for young women at 7.2 per cent compared to 5.5 per cent for males.<sup>120</sup>

The gender earning gap has widened over the last ten years, with female earnings dropping from 87 per cent of male earnings in 2004 to 80 per cent of male earnings in 2012. A portion of the gender earning gap is explained by women clustering in low-paid sectors and occupations, and working part-time. However, a significant portion of the gap remains unexplained, suggesting 'structural discrimination'. Underlining causes of the widening gender gap include: a decline in the share of employed women with technical qualifications relative to an increase in the share for men; fields of study that remain strongly gender-stratified; and persistent employers' stereotypes reflected, for instance, in job advertisements for senior positions that often indicate a gender preference for males despite this being against the law.<sup>121</sup>

### Women's entrepreneurship

At the national level, in business, women account for only one-quarter of the total owner/director positions in enterprises. The enterprises owned by women are often small or medium-scale, and lack of many conditions to access resources compared with those owned by men. According to the World Economic Forum Gender Gap Report 2015, 26 per cent of firms in Viet Nam had female top managers, and 59 per cent of firms had female participation in ownership. In particular, 26.8 per cent micro-enterprises and 13.6 per cent large enterprises are owned by women. A recent ILO report indicates that Viet Nam ranks 76th out of 108 countries in its proportion of female managers in business.

Women in business encounter a number of disadvantages. A 2010 survey commissioned under the United Nations-Government of Viet Nam Joint Programme on Gender Equality summarized some key barriers that were rooted in the tension between traditional perceptions of gender roles in Viet Nam and the egalitarian approach of government policy and legislation. It should be noted that the study found that "Vietnamese female entrepreneurs seem to be

- 120 ibid.
- 121 UN Women (2016).
- 122 Socialist Republic of Viet Nam (2015).
- 123 GSO (2010a).
- 124 WEF (2015).
- 125 Mekong Business Initiative (2016).
- 126 ILO Country Office for Viet Nam (2015).

more bound to tradition than men"127 in that they consult their families in important business decisions and generally feel that their gender made it more difficult to start and continue a business (as opposed to other variables such as age). A recent study by the Mekong Business Initiative on women-owned small and medium-sized enterprises (SMEs) points out several barriers that women-led SMEs face, including the lack of knowledge and skills in business management, difficulty in accessing resources and markets, and limited chances to participate in trade promotion due to their limited business network. In addition, gender roles also encumber women's business. Running business is not considered a suitable job for women and domestic work and responsibilities impact the amount of time women entrepreneurs spent on their businesses.<sup>128</sup>

Although the Government has made efforts to promote women's entrepreneurship through several policies including Decree 56/2009/ND-CP on SME development support, including women-owned SMEs, and the National Strategy on Gender Equality for 2011–2020, which supports women-owned SMEs, these policies have not been well implemented. According to the Mekong Business Initiative study, the reason is that: (i) there is no official regulation that defines a women-owned enterprise; (ii) there are no guidelines for Decree No.56/2009/ND-CP related to women-owned SMEs; and (iii) there is a common perception among government agency officers who are responsible for guiding policy implementation that the women entrepreneurs are the same as all workers who are subject to the Labour Code and other legal provisions, and as owners of SMEs, women benefit from the same SME policies as men, and thus no special support for women-owned SMEs are deemed necessary. Another important factor that should be noted is that the women entrepreneurs' associations have not yet been recognized by the Government as one of the official channels for collecting or disseminating information, thus they are not consulted during the policy-making process.

Despite manifold challenges, women-owned enterprises play an important role in Viet Nam's socio-economic development. For women-owned SMEs specifically, they employ a higher percentage of female workers than men-owned SMEs (43.4 per cent in comparison with 36 per cent); contribute slightly more to the national budget in terms of taxes per worker than SMEs owned by their male counterparts (VND 24.9 million compared to VND24.2 million per worker per year); and spend more on social insurance than men-led SMEs (36 per cent versus 35 per cent).<sup>129</sup>

127 JPGE (2010).

128 Mekong Business Initiative (2016).

129 ibid.

### **Unpaid care and domestic work**

A good understanding of the role of unpaid care and domestic work for maintenance and well-being of family is important in order to fully appreciate women's multiple roles in the economy and society as well as the gender-specific challenges they face.

### **Definition of unpaid care and domestic work**

Unpaid work includes a diverse range of activities that are carried out predominantly by women without remuneration. There are three broad categories of unpaid work:

- unpaid work in a family business, involving the production of goods or services for sale on the market for no direct pay, which is referred to as contributing family work;
- unpaid work that involves the production of goods for self-consumption (e.g. collecting water or firewood);
- unpaid work that involves the provision of services for self-consumption (e.g. cooking or cleaning as well as person-to-person care).

"Unpaid care and domestic work" includes the latter two types of work and is distinguished from "unpaid family work". In addition to person-to-person care (such as feeding a child or bathing a frail elderly person) and domestic work, it also includes other activities (such as the collection of water or firewood) that are critical for 'reproducing' people on a day-to-day basis, particularly in low-income settings.

Source: UN Women. 2015. Progress of the World's Women 2015-2016: Transforming Economies, Realizing Rights.

Worldwide, the majority of these three types of unpaid work is performed by women. While "unpaid" or "contributing family work" is included in the United Nations System of National Accounts (SNA) and is usually included – although undercounted – in calculating a country's GDP, "unpaid care and domestic work" are not, despite the essential contribution they make to the economy. The disproportionate amount of time that women spend on unpaid care work, including domestic work and family care such as child care and elderly care, often interferes with the ability of many women to hold down formal paid employment.

In Viet Nam, despite very problematic data gaps, it is possible to conclude that women and girls spend far more time on unpaid care and domestic work than do men and boys,

based on enduring traditional gender norms.<sup>130</sup> This is true across regions, ethnicities, and socio-economic status. However, the greatest burden falls on women in poorer and rural households, which are more likely to lack time-saving infrastructure such as access to treated water or organized early childhood care that would reduce and redistribute the care burden on women.<sup>131</sup>

## **Social protection for women**

Social protection policies play important roles in providing women access to labour markets, addressing economic risks faced by working families, and helping poor households meet basic needs. However, access to social protection for women is intrinsically linked to their status in society, and more specifically, the nature of work that they engage in. Structural and gender inequalities have contributed to a concentration of female workers in informal, low-skill and low-pay jobs. Due to the unequal gendered distribution of domestic and reproductive tasks, women carry a double burden of income generating work and care responsibilities at home. This situation makes it difficult for women to engage in formal work with compulsory social insurance and access to child care. This translates into disproportionate numbers of women in the most vulnerable and insecure types of employment, which are linked to high levels of poverty and social marginalization. These women are left without protection from economic and lifecycle-related shocks.

In Viet Nam, the policy framework for social protection is provided for in Resolution No. 15/NQ-TW, detailing main social policies for the period 2012–2020 and Resolution No. 70, detailing the Action Plan for Resolution No.15. These two Resolutions aim at promoting basic social services for people, especially the poor, those from economically disadvantaged backgrounds, and ethnic minority people; however, they contain no special provisions promoting gender equality.

The Social Insurance Law covers sickness, including care for sick children, maternity benefits (including for adoption), accidents, and retirement pension, among others. Under the Social Insurance Law, women enrolled in compulsory insurance are entitled to leave for prenatal check-ups, leave for childbirth, which was extended in 2013 to six months with full pay from the previous four months, and a lump-sum allowance equal to two month's salary upon childbirth. It is noteworthy that, since 2014, the Law provides for Paternity Leave for the first

<sup>130</sup> World Bank (2011).

<sup>131</sup> UN Women (2016).

time. Male employees contributing to the Social Insurance Fund are entitled to paternity leave ranging from five (for normal delivery) to 14 working days (in the case of twins born through surgery) within the first 30 days from the birth. In terms of eligibility, previously a three-month labour contract was required for entitlement to compulsory social insurance, but this was recently changed to one month, thus removing a source of indirect discrimination against women workers who make up a smaller proportion of workers with long-term contracts. However, the proportion of women who can access these maternity benefits is still small considering that the majority of women are engaged in informal work not included in these schemes.

The provision for voluntary social insurance broadens access for many women not covered by compulsory social insurance. In fact, among voluntary social insurance holders categorized as "unpaid household labour" and "self-employed labour" (including self-employment in agriculture), women account for a higher percentage than men. However, from 2009 to 2012, there were only about 140,000 participants in voluntary insurance, or about 0.3 per cent of the labour force. Thus, the number of women participating in voluntary social insurance remains very small. Furthermore, voluntary social insurance is still new and does not sufficiently cover women's needs in areas such as maternity, illness, workplace injury and occupational diseases.

Success of social protection programmes depends to a large extent on how sensitive they are to the needs and risks of their beneficiaries, inherent in their particular profile, as well as their location within the labour market. For example, in addition to life and accident insurance, male workers also value insurance for their tools and assets. In the case of female workers, the provision of child care forms an important part of social security needs.<sup>133</sup> In Viet Nam, there is limited support from government programmes for children under three and there are almost no services provided for children under 18 months, thus the care burden on mothers is heavy.<sup>134</sup>

Women migrant workers (WMWs) in particular face more challenges in finding affordable and quality education and care for children.<sup>135</sup> In addition, due to lack of residency status, WMW cannot send their children to public pre-school services for five-year-old children which do not allow access to children without a residential permit. Moreover, the opening hours of

<sup>132</sup> UN Women (2015b).

<sup>133</sup> Ulrichs (2016).

<sup>134</sup> Pham Thu Hien (2015).

<sup>135</sup> UN Women (2016).

these services are only from 7 a.m. to 5 p.m. and hence less compatible with the working time of WMWs who work outside of the government sector. Recently, there has been a shift of government focus to a concern for working mothers' needs. A number of initiatives have been launched on the provision of early childhood education and care (ECEC) managed by the Ministry of Education and Training (MOET) in collaboration with other ministries such as MOLISA, the Ministry of Planning and Investment (MPI) and the Ministry of Finance (MOF). The NPGE 2011-2015 committed to building ten day-care centres in proximity of vocational training centres, industrial parks and factories to alleviate women's care burden. These are, however, mostly operated in urban areas and industrial zones and in the form of subsidized private centres and mostly aimed to support mothers who are wage workers but exclude women who work for informal firms or are self-employed.<sup>137</sup>

## Retirement age and old age income security for women

The different retirement age for men and women in the Labour Code (55 for women and 60 for men) dates back to the 1960s and translates into a difference in pension for women and men. It is mandatory for most public sector employees but optional for private sector employees, although most workers claim their pensions at the statutory retirement age. Because female pensioners' pre-retirement wages average about 87 per cent of those of male pensioners and their working years are shorter, their pension is also lower. The lower retirement age compounds the effect of other interruptions in women's working lives, such as child-bearing and domestic responsibilities, in shortening women's working lives and thus their wages and pension contributions.<sup>138</sup>

The retirement age applies only to non-agricultural formal-sector employment; and therefore, it does not apply to the majority of female workers who outnumber men in non-formal employment. There is no prohibition on working while collecting retirement benefits, and post-retirement employment is common among female retirees for their income security. Many work in the informal sector as consultants in their former work units or as self-employed workers or business owners. Many retired women also continue to work in family enterprises, with or without pay, or provide unpaid domestic labour and childcare to family members.

136 ibid

137 ibid.

138 UN Viet Nam (2012b).

### **Remaining gaps**

Although great advances have been made in creating an enabling environment for women to engage in workthat is decent and productive and that respects their rights, the Labour Code and its corresponding legal documents (including the MOLISA Circular No. 26/2013-TT-BLDTBXH on the list of jobs in which the employment of female workers is prohibited, Decree No. 85/2015/ND-CP on the implementation of a number of articles of the Labour Code regarding policies on female employees) need to be amended. This might include, for instance, a lower retirement age for women, an extensive list of occupations prohibited for women, and special protection for maternity. However, although these are intended to be protective, they may limit women's opportunities and reinforce negative stereotypes about women's capabilities and roles within household and in society.

Informal employment where women are highly concentrated is outside the scope of the Labour Code. Given women's disproportionate representation among informal workers, they benefit less from employment-related social protection such as pensions, maternity benefits, unemployment benefits and health insurance. Further efforts are needed to extend the legislative framework to cover workers in the informal economy and to adopt measures to facilitate their integration in the formal economy. Benefits, contribution mechanisms and service delivery of social protection programmes for informal workers, particularly women, have to be adapted to their work patterns characterized by frequent movements in and out of formality, interruptions in employment history and multiple occupations for different employers.<sup>139</sup>

In addition, greater acknowledgement of women's unpaid care work is needed. Having to balance paid work and home responsibilities continues to be one of the major factors limiting women's access to more secure and remunerative economic opportunities, and as a result, the low productivity of women is also costing the Vietnamese economy. Documentation of care needs and burdens through time-use surveys or data on household access to basic infrastructure can guide allocations of public finance across the specific sectors that are needed the most. These surveys will suggest where social protection programmes and public services such as child care or elderly care, public investment in physical infrastructure and affordable labour-saving technology can reduce and redistribute unpaid care work.

In terms of child care provision, the greater availability of childcare for children under three,

<sup>139</sup> Ibid.

and ideally free of charge for low-income households would promote gender equality further. The promotion of a few government programmes that target children under 18 months and aim to respond to the increased needs of mothers working in industrial zones is promising, 140 but such programmes should not remain confined to urban areas and to workers in the formal sector. While shifting care responsibilities from women to the state and integrating them into social policies for informal workers, the gendered distribution of paid and unpaid work can also be challenged by actively encouraging men to share care duties, such as through expanded provision of paternity leave.

<sup>140</sup> UN Women. 2016. Towards Gender Equality in Viet Nam: making Inclusive Growth Work for Women.



Photo©: UN Women/Hoang Hiep

In its first Constitution of 1946, the Democratic Republic of Viet Nam committed to promoting equality for "both women and men". Women received the right to vote and to stand for election, yet in the first National Assembly (1946 to 1960), there were just ten women out of 333 representatives. From 1970 to 1975, women's participation in the National Assembly increased to 32.3 per cent chiefly because most men were involved in the war effort. However, in the following term (1976-1981), immediately after the war ended, men returned to their previously held positions. Women's representation decreased and reached its lowest point at 17.7 per cent in the period 1986 to 1992 (NCFAW, 2000). In 1994, the Communist Party issued Directive No. 37, designed to increase women's participation in political leadership. It stated that the Government at all levels should aim to have at least 20 per cent of elected positions filled by women. Since then, the ratio of women in the National Assembly has remained at over 20 per cent, but the percentage fluctuates and there is still a distinct underrepresentation of women at all levels of leadership.

### Policies and legislation to promote gender equality in the Government

Numerous supportive policies, decrees and resolutions promote representation of women in government in Viet Nam. Article 26 of the Constitution (2013) guarantees that "male and female citizens have equal rights in all fields" and that "the State, society, and the family create conditions for women's comprehensive development and promotion of their role in the society". The Law on Gender Equality (2006) provides a legal framework through which women can realize their rights to equal representation, and the Government Plan of Action for Women's Affairs in the Country's Era of Industrialization and Modernization by 2020 (adopted in December 2009) calls for equality of women and men in all fields. The National Strategy on Gender Equality 2011-2020 and the National Action Programme on Gender Equality 2016-2020, the two main current guiding documents for Viet Nam on gender equality, include a specific objective and targets for strengthening women leaders at the administrative and legislative level (see box below). In addition, there is a National Thematic Project on the implementation of measures to ensure gender equality for female cadres, civil servants and public employees during 2016-2020, which provides a comprehensive approach from awareness raising for the leadership of the Party and Government agencies, improving the personnel planning, capacity building for female staff and strengthening monitoring and evaluation of the implementation of gender equality and female personnel arrangement works.

### National Strategy on Gender Equality 2011-2020

Objective 1: To intensify women's holding of managerial and leading positions, aiming to gradually narrow gender gap in the political domain

- Target 1: To strive for a 25 per cent or higher of women's participation in Party committees in the 2016-2020 term; the percentage of 30 per cent or higher of female deputies to the National Assembly and People's Councils at all levels in the 2011-2015 term and over 35 per cent in the 2016-2020 term.
- Target 2: To strive for the following targets: by 2015, 80 per cent and by 2020, over 95 per cent of ministries, ministerial-level agencies, Government-attached agencies and People's Committees at all levels will have female leaders.
- Target 3: To strive for the targets that by 2015, 70 per cent and by 2020, 100 per cent
  of Party and State agencies and socio-political organizations with the number of female
  cadres, civil servants and public employees making up 30 per cent or higher will have
  women holding key leading positions.

What is significant about the policy framework is the inclusion of targets and allocation of responsibility for implementation. Guidance to implement the Law on Gender Equality is found in Resolution 11-NQ/TW (27/4/2007), Resolution No. 57 (01/12/2009) and Decree 48 (19/5/2009) of the Communist Party of Vietnam. Resolution 57 stipulates specifically, "Setting up and ensuring mechanism to promote further participation of women in decision making processes and increasing rates of women nominated as candidates to the National Assembly [and] People's Council at all levels". The National Strategy on Gender Equality and Party Resolution 11 both set a target of a minimum 35 per cent women representatives in the National Assembly and People's Council in the term starting in 2016. <sup>142</sup>The new Law on Elections set a quota of at least 35 per cent women candidates to run in the People's Council and National Assembly elections in 2016. The new Statistics Law adopted in 2015 also includes four indicators related specifically to women's political participation.

To date, however, the Government's targets have not been met. Accountability and enforcement of these policies are weak; the National Programme on Gender Equality established agencies responsible for project areas, yet fell short of establishing accountability measures. Additionally, some of the targets of the National Strategy on Gender Equality are difficult to measure: for example, the target related to women in "key leadership positions" is not defined and simply commits the Government "to strive for" meeting the stipulated numerical goals). There is a lack of incentives for reaching targets and of accountability or punitive measures if targets are not met. The CEDAW Committee recommends that measures be taken "to increase the number of women in decision-making positions at all levels and in all areas, in the light of the Committee's general recommendation No. 23 on women in political and public life" in its Concluding Observations issued 2015.

# Political participation and leadership: current situation and trends

# **Communist Party of Viet Nam**

Members of the Communist Party form the pool from which candidates are drawn for leadership positions in government administration and as candidates for election. In 2010, 32.8 per cent of Party members were female, a significant increase from 2005 at only 20.9 per cent. Representation of women in leadership positions of the Party is also progressing, but slowly. Women still have low representation in the powerful Central Committee Secretariat.

142 Munro (2012).

143 ibid.

Their representation in the Central Committee Secretariat has slightly increased from 10 per cent in the 2011-2016 term to 11 per cent in the 2016-2021 term. However, this increase is due to the reduction from ten to nine in the total number of the Central Committee Secretariat's members, while the number of female member remains the same, only one. The Political Bureau had one woman among its 16 members for the 2011-2016 term, which has increased to three out of 19 for the 2016-2021 term. In the Central Committee, the percentage of women has remained between 8 and 9 per cent over the last three terms, and increased slightly to 10 per cent in 2016. The rate of female members of the Party's Committee at the provincial, district and commune levels are higher than those of previous term, at 13.3 per cent, 14.3 per cent and 19.7 per cent, respectively, 144 but still remain low.

#### Women's representation at the National Assembly

As a result of elections in May 2016, the representation of women in Viet Nam's National Assembly for the 2016–2021 term was 26.8 per cent. This is impressive when compared with the average rate of 19 per cent for Asian countries and a global average of 21 per cent. The Government has succeeded in reversing the declining trend of women's representation in the National Assembly for the past two terms. However, this is still lower than the 2002–2007 term and lower than the 35 per cent target set in the National Strategy on Gender Equality and Party Resolution 11. This indicates that the decrees and resolutions to increase women's political representation have not been effective.

<sup>144</sup> The National Assembly's Committee on Social Affairs (2016).

Table 5. Proportion of seats held by women in the National Assembly (per cent)

	Term 1997-2002	Term 2002-2007	Term 2007-2011	Term 2011-2016
Red River Delta	25.0	24.0	29.4	27.8
North East	24.2	30.6	29.6	36.6
North West	37.5	31.6	26.1	36.0
Central Coast (North)	21.8	20.3	19	22.6
South Central Coast	26.3	27.9	26.2	27.3
Central Highlands	26.1	25.8	29.4	20.6
South East	23.9	25.7	20.3	23.5
Mekong River Delta	31.5	33.3	26.6	22.6
Total	26.2	27.3	26.0	26.8

Source: Socialist Republic of Viet Nam (2015); UNDP Viet Nam and the Ministry of Foreign Affairs of Viet Nam (2015).

### Women's representation at the sub-national level

There has been some increase in women's representation in People's Councils at the province level. The percentage of women increased from 21.57 per cent in the 1999-2004 term to 25.7 per cent in 2011-2016 and 26.42 per cent in the current term at the provincial level. At the district level, representation grew from 20.99 per cent (1999-2004) to 24.62 per cent (2011-2016), and at the commune level, from 16.61 per cent to 21.71 per cent. Despite a relatively high political representation, women are seldom found in leadership roles at the sub-national level. As of year-end 2014, the proportion of People's Committees chaired by women was 1.6 per cent at the provincial level, 3.6 per cent at the district level, and 3.2 per cent at the commune level. However, women do hold more Vice Chair positions and there has been a significant increase in the previous term.

<sup>145</sup> Socialist Republic of Viet Nam (2015).

<sup>146</sup> ibid.

#### Women's representation in government administration

Although there is a high percentage of female civil servants in Viet Nam, only a small proportion of women hold decision-making positions. In the 2015 World Economic Forum Gender Gap Index, Viet Nam ranked 88th out of 145 countries on political empowerment, 58th in terms of women in parliament, and 119th on women in ministerial positions. In 2015, only two out of 22 ministers were women – the Ministers responsible for MOLISA and the MOH. Following the election in 2016, only one remains, the Minister of Health. In 2015, of 281 vice minister and equivalent positions, 36 were held by women (11 per cent). In Viet Nam, the "glass ceiling" is present in government leadership, and women leaders are more prevalent in lower levels of the government system. In 2012, only approximately 6.8 per cent of Directors and 12.4 per cent of Vice-Directors were women; women's leadership was highest in ministries such as Health, Education and Training, Social Affairs, and Foreign Affairs, and lowest in Transport, Natural Resources and Environment, and Construction. This underlines the predominant role that men continue to have in leadership at all levels.<sup>147</sup>

## Gender barriers and their contributing factors

A recent UNDP report on women's leadership outlines a number of key barriers to women's advancement in the public sector, many of which are applicable to the private sector as well. These include lack of buy-in by senor decision-makers who nominate, conduct civil servant performance evaluations, and make other decisions related to promotion in the workplace; discriminatory legal frameworks and policies (e.g. unequal age criteria for training programmes, failure of seniority systems to take into account women's career interruptions due to childbirth and family responsibilities, the earlier retirement age for women); fewer opportunities for job rotation and training; gender-related stereotypes and norms in the community, home and workplace; women's own lack of confidence in their abilities and potential; and lack of access to informal resources and levers of influence (e.g. opportunities to socialize with peers after working hours, ability to travel for work, access to financial and political capital to win elections or appointments).<sup>148</sup>

Of particular concern for women's long-term career prospects is the impact of the earlier retirement age. As a UNDP report on women's participation in the National Assembly points out:

147 Munro (2012).

148 UNDP Viet Nam (2014).

The single most often-cited reason for the lack of advancement of women in Viet Nam is the differential age of retirement ... The impact of this law on women's political aspirations cannot be under-stated. Just at the moment when women have the life achievements that would qualify them for elected office, they are taken out of the running. ... Given that electoral success is based on seniority, many women are ineligible to stand for office because they rarely reach the senior levels needed to qualify as a candidate.<sup>149</sup>

The lower participation of women in training courses and work rotations that build the leadership capacity and professional knowledge of civil servants also relates to the lower retirement age for women. As one report on women's leadership points out:

As the retirement age is unequal, so too is the age for eligibility for training. The practice is that only men younger than 40 and women younger than 35 are eligible for training courses on administrative and political refresher courses or to study abroad. ... Men are more likely to be selected for training because it is more cost-effective as they have a longer potential working life.150

This inequity in access to training of course limits the pool of potential women for senior level positions and for candidacy for political office.

According to a 2012 Centre for Women Studies report on a review of all regulations and policies related to hiring, promotion, nomination for training, there were no specific measures in place to increase women's representation in senior management. It also found that human resource policies were applied to men and women equally, that is, in a gender-blind fashion, and that no special activities or programmes were created specifically for women despite the barriers women face in being promoted and the low levels of women in senior-level positions.<sup>151</sup>

<sup>149</sup> Vandenbeld and Ha Hoa Ly (2012).

<sup>150</sup> Munro (2012).

<sup>151</sup> Ibid.



Photo©: UN Women

Violence against women and girls (VAWG) persists in every country in the world including Viet Nam. VAWG is a form of discrimination, a violation of human rights and a major impediment to achieving gender equality. VAWG is not a result of random, individual acts of misconduct, but rather, is deeply rooted in structural relationships of inequality between women and men. It can only be eliminated by addressing discrimination, promoting women's equality and empowerment, and ensuring that women's human rights are fulfilled. States have clear obligations to address VAWG, whether committed by state agents or by non-state actors. States have a duty to prevent acts of VAWG, to investigate such acts when they occur, to prosecute and punish perpetrators, and to provide redress and relief to the survivors.

General recommendation No. 19 of CEDAW defines VAWG as "violence that is directed against a women because she is a women, or violence that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suggesting, threats of such acts, coercion and other deprivation of liberty". Building on this CEDAW recommendation, the 1993 United Nations Declaration on the Elimination of Violence against Women highlights that VAWG can be interpreted in various forms and made the important clarification that it could occur

<sup>152</sup> General Assembly resolution 48/104.

in the public or private life. It therefore demanded accountability from public bodies to prevent forms of violence that occur within the family and other private spheres, institutional spaces and in public spheres.<sup>153</sup> More recently, recognition of the underlying gender power dynamics of VAWG has led to an expanded definition that includes a broad range of harmful behaviours and practices within the family, society and the state, as well as the use of the term gender-based violence (GBV) that refer to all violence based on gender, including violence on the grounds of sexual orientation and gender identity.<sup>154</sup>

Viet Nam ratified CEDAW in 1982, endorsed the Cairo International Conference on Population and Development (ICPD) Plan of Action in 1994 and committed to the BPFA in 1995. These international instruments provide for the right to live free of violence and the fear of violence, and thus commits Viet Nam to realizing this right by prohibiting VAWG under domestic legislation.

### Violence against women and girls within the domestic sphere

The forms of violence that women may experience within the family during her life extend from violence before birth to violence against older women. Commonly identified forms of VAWG in the family in Viet Nam includes intimate partner violence, chid marriage, sex-selective abortion, and other forms of exploitation.

# Intimate partner violence

The most common form of violence experienced by women globally is intimate partner violence (IPV), commonly referred to as domestic violence. IPV includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former partner, without her consent. Viet Nam's Law on Domestic Violence Prevention and Control, adopted in 2007, defines domestic violence as "purposeful acts of certain family members that cause or may possibly cause physical, mental or economic injuries to other family members" The law applies to divorcees or family members "living together as husband and wife without marriage registration." Hence, domestic violence is defined quite narrowly as violence that occurs within the family, and does not specify the sex of victim or perpetrator.

<sup>153</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee). 1992. General recommendations No. 19, para.7

<sup>154</sup> For a full definition, see the Terminology section of this Gender Briefing Kit.

Data from the 2010 National Study on Domestic Violence against Women represents the first and the only nationally representative study on IPV in Viet Nam. It focused on the prevalence and nature of IPV against women, primarily by their husbands, as well as attitudes towards violence, direct and indirect impacts of violence on women and their children, and how women respond when they experience IPV. <sup>155</sup>

Its major finding was that IPV is pervasive in Viet Nam: 58 per cent of ever married women experienced some form of physical, sexual, or emotional violence at some time in their life by their intimate partners; 32 per cent experienced physical violence; 10 per cent experienced sexual violence; and 54 per cent experience emotional abuse. Yet, 87 per cent of them never sought help from formal service or authority.<sup>156</sup>

Type of Violence	% of ever-partnered women during lifetime	% of ever-partnered womenin past 12 months
Experienced at least one type of physical, sexual of emotional violence	58	27
Experience of physical violence	32	6
Experience of sexual violence	10	4
Experience of physical and/or sexual violence	34	9
Experienced of emotional abuse	54	25

Source: GSO (2010).

The study also confirmed that violence cuts across the regions of the country, the urban-rural divide, educational levels, socio-economic status, and ethnicity. Prevalence rates for the three types of violence were higher in rural areas and among the less educated.<sup>157</sup> A further analysis of the survey data suggests that women are 2.8 times more likely to experience domestic violence if they experience sexual violence as a child and 5.8 times more likely if

<sup>155</sup> GSO (2010b).

<sup>156</sup> ibid.

<sup>157</sup> ibid.

they experienced sexual violence from a non-intimate partner as an adult (aged above 15 years).<sup>158</sup> More than 60 per cent of women survivors of IPV reported that the violence had affected their health and 26 per cent of women who ever had been physically or sexually abused reported having been injured because of the violence.<sup>159</sup> This suggests how critical health service providers are in detecting IPV and becoming an entry point to support the affected women.

IPV also negatively affects Viet Nam's economy. The cost of VAWG in the form of IPV against women in Viet Nam, both in- and out-of-pocket expenditures and lost earnings represent nearly 1.41 per cent of the GDP. It was found that women who had experienced violence earned 35 per cent less than those who had not, representing another significant drain on the national economy. The overall productivity loss was estimated at 1.78 per cent of GDP in 2010. In sum, the potential opportunity cost and productivity loss of domestic violence by an intimate partner was 3.19 per cent of the 2010 GDP.<sup>160</sup>

#### **Sex-selective abortion**

Practices of son preference, expressed in manifestations of harmful practices such as female infanticides and prenatal sex selection in favour of boys, have resulted in adverse female-male sex ratios in Viet Nam. Sex ratio at birth (SRB) rose from an estimated 106 male births per 100 female births in 2000 to 110.5 in 2009, and 112.6 in 2013.<sup>161</sup> The Red River Delta recorded the highest SRB in the country, at 122.4 in 2011.<sup>162</sup> Although the SRB has increased in both rural and urban areas, the rise has been most dramatic in urban areas, among better-off households and more highly educated women, as opposed to lower SRB among poor and ethnic minorities. It is most evident in higher-order births (third births and higher), but there is a growing trend for sex selection even in first births.<sup>163</sup>

Despite legal changes and strong community awareness-raising efforts, the entrenched

<sup>158</sup> ibid.

<sup>159</sup> UNFPA (2012).

<sup>160</sup> UN Women (2012).

<sup>161</sup> UNFPA (2014).

<sup>162</sup> ibid.

<sup>163</sup> GSO (2011).

cultural preference (with some exceptions) for sons is shifting only slowly. Abortion of female foetuses is justified by the need to leave "space" for boys, male-oriented kinship systems, with several non-cultural factors influencing the SRB imbalance, including declining fertility, the availability of sex-identification and sex-selection technology, and the two-child policy (now renamed the "small family norm").

Beyond the harmful psychological effect on women of the pressure to bear a son and the physical effect of repeated abortions, the current SRB imbalance will have implications for the "marriage market", with a potential increase in human trafficking, sex work, and GBV in all forms to compensate for what UNFPA estimates as a 10 percent "surplus" of men building up towards 2035. <sup>166</sup>

#### Child marriage

Child marriages is another harmful practice recognized as a form of VAWG involving the marriage of a child below the age of 18.<sup>167</sup> In Viet Nam, according to the 2014 MICS, 11.1 per cent of women aged 20-49 were married before their 18th birthday. Although the Law on Marriage and Family sets the legal minimum age of marriage for women at 18, the rate of underage marriage is still high: the proportion of young women aged 15-19 who are married or in undocumented unions increased from 5.4 per cent in 2006 to 10.3 per cent in 2014 (based on data from the Multiple Indicator Cluster Surveys in Viet Nam, 2006, 2011 and 2014). The rate of child marriage remains particularly high among ethnic minorities and in mountainous areas: MICS 2014 records a rate of 29.5 per cent for ethnic minorities and 6.5 per cent for Kinh and Hoa; 22.6 per cent and 14.8 per cent for Northern Midlands and Mountain areas, and Central Highlands area, respectively.

Child marriage is closely related to dropping out of school: 73 per cent of women aged 15-19 years who are married or in a union had no or only primary education.<sup>168</sup> Child marriage also

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164 Jones and Tran Thi Van Anh (2014).
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<sup>165</sup> UNFPA (2014:2).

<sup>166</sup> UNFPA (2011c).

<sup>167</sup> While the definition of the Convention on the Rights of the Child states that "a child is a person below the age of 18 years unless, under the law applicable to the child, majority is obtained earlier", the Committee on the Elimination of Discrimination against Women considers that the minimum age for marriage should be 18 years for both men and women and that marriage should not be permitted before they have attained full maturity and capacity to act. See General Recommendation No.21 (1994) of the CECAW Committee.

<sup>168</sup> UNICEF and MOET (2013).

leads to negative health consequences such as early childbearing, premature birth, prenatal death, and reproductive health complications. In addition, early marriage exposes women to greater risk of IPV by their partners. A recent study of a nationally representative sample of young people aged 14 to 25 found that "marriage before age 18 placed young women at nearly twice the lifetime risk of exposure to intimate partner violence in comparison to young women who married at the age of 18 or older". <sup>169</sup>

The practice of child marriage is tolerated due to the lack of economic and social opportunities for girls, and the belief that young women are needed to undertake unpaid labour for household production and care work.<sup>170</sup> The high rate of child marriage among ethnic minorities is also accepted as a traditional cultural practice. This aspect is specifically addressed in the 2015 Prime Minister's Decision No. 498 /QD-TTg approving the project "Reduction of Early and Inter-Family Marriage in Ethnic Minorities in the Period 2015–2025", whose objective is to "prevent and reduce early and inter-family marriage in ethnic minority areas" to contribute to improving life conditions of ethnic minorities.<sup>171</sup>

#### Violence against women and girls in the public sphere

Women also face violence outside of the home and family setting. Physical, sexual and psychological violence can be a daily feature of women's interactions in their neighbourhood, on public transport, on streets, in workplaces, in schools, and in other social institutions. This section focuses on sexual harassment and violence in workplace, schools, and in public spaces.

## Sexual harassment and violence in the workplace

The phenomenon of harassment and violence in workplace is receiving increasing attention, especially in the context of women's rising rates of participation in the labour force and enhanced legal and regulatory provisions.

In Viet Nam, statistics and official figures on sexual harassment at the workplace are not readily available, and there is limited research conducted in this area. However, the available information highlights that sexual harassment is widespread in workplaces and that the majority of the survivors are women. Most cases, however, go unreported because the

169 Hong Le et al. (2014). In UNICEF (2014).

170 UNICEF & MOET (2013).

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survivors are often embarrassed and afraid of losing their job. A few survivors who do come forward often do not know how to report and make a claim for compensation.<sup>172</sup> Individuals from all age groups can be subject to sexual harassment at the workplace, although the risks are higher for women aged between 18 and 30 years old.<sup>173</sup> The most common form of sexual harassment at the workplace is verbal harassment such as unwelcome flirting, insults, lewd remarks and sexual comments, as well as physical touching, suggesting sexual intercourse, and sexual assault and rape.<sup>174</sup> Similarly, according to the research of the Institute for Family and Gender Studies, the most frequent sexual harassment of domestic helpers is seducing and flirting conversations (5.6 per cent).<sup>175</sup>

In terms of perpetrators, harassment can occur between colleagues, supervisors and staff, or between individuals in a position of authority and dependents.<sup>176</sup> For domestic workers, eight out of ten cases were sexually harassed by their employers.<sup>177</sup>

The revised 2012 Labour Code, which added provisions prohibiting "maltreating a worker and committing sexual harassment at the workplace", gives the harassed employee the right to terminate his or her labour contract, obliges domestic workers who have been sexually harassed to report their employer to the relevant authorities, and strictly prohibits employers from mistreating or sexually harassing domestic workers. However, the Labour Code continues to fall short of effectively prohibiting the sexual harassment and protecting the victims, since it does not provide a clear definition of sexual harassment, nor require employers to take preventive measures and establish complaint procedures in the workplace. In order to facilitate the implementation of the law, the Industrial Relations Committee, chaired by MOLISA and which includes the Viet Nam General Confederation of Labour and the Viet Nam Chamber of Commerce and Industry, developed a Code of Conduct on Sexual Harassment in

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172 MOLISA and ILO (2013).
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173 ibid.

174 ibid.

175 Institute for Family and Gender Studies (2012).

176 MOLISA and ILO (2013).

177 ibid.

178 Specific Labour Code provisions include: Article 8 (prohibition of sexual harassment); Article 37 (providing employees with the right to unilateral termination); Article 183 (the prohibition of mistreatment) and the obligation to report to the authoritative agency (Article 182).

179 UN Viet Nam (2012a).

the Workplace in 2015. The Code provides a definition of sexual harassment, and guidance to employers, employers' organizations, workers and trade unions on policies and procedures to be put into place to effectively prevent and address sexual harassment in the workplace in accordance with the Labour Code. However, adoption of the Code of Conduct is voluntary and therefore there is no enforceability.

#### Sexual harassment and other forms of sexual violence in public spaces

Sexual harassment and other forms of sexual violence in public places is a commonplace occurrence for women and girls in Viet Nam although data are scarce and the issue is not widely acknowledged. According to a 2014 survey of over 2,000 people conducted in Hanoi and Ho Chi Minh City, 87 per cent of the women and girl respondents confirmed that they had experienced sexual harassment in public places, most commonly on the street and in broad daylight, and 89 per cent of men and bystanders reported that they had witnessed such acts; 45 per cent of both women and men surveyed identified sexual harassment as the highest risk to women and girls in urban public places, compared to other risks such as traffic accidents or theft.<sup>181</sup>

Yet, of those that had experienced sexual harassment, only 1.9 per cent said that they would seek justice. Legislation on violence against women in public spheres is lacking and/or inadequate. With low reporting and prosecution rates, limited availability of shelter, coordinated referral systems for health, counselling services, legal aid, high percentages of survivors hardly ever receive assistance, protection and redress – even when formal rights are recognized.

<sup>180</sup> Ministry of Labour, Invalids and Social Affairs (2015).

<sup>181</sup> AAV (2014).

<sup>182</sup> ibid.

## **Emerging Form of Violence Against Women and Girls – Cyber Harassment**

Although understanding and knowledge are lacking, cyber harassment is also a serious concern in Viet Nam with 72 per cent of Vietnamese youth aged 15-24 using Internet on daily basis (Measuring the Information Society, ITU 2013). A recent study by UNICEF on cyber harassment among youth found that 87 per cent of Vietnamese girls agree that girls are in danger of being sexually abused, or being taken advantage of through the Internet. In fact, 53 per cent of girls have met new people online and 71 per cent believe that their friends engage in risky behaviour (UNICEF, n.d.). With growing numbers of Internet users and a lack of legislative framework available in Viet Nam to prevent cyber violence, violence against women and girls (VAWG) in the form of technology is a growing concern.

### School-related gender-based violence

School-related gender-based violence (SRGBV) relates to:

acts of sexual, physical or psychological violence inflicted on children in and around schools because of stereotypes and roles or norms attributed to or expected of them because of their sex or gendered identity. It also refers to the differences between girls' and boys' experience of and vulnerabilities to violence.<sup>183</sup>

Although the data are limited to date, current available data suggest that the extent of sexual harassment and violence in schools may be significant. A small study of just 314 pupils at three high schools in 2009 found that 15.6 per cent of pupils were fondled, touched or kissed on parts of the body by other people, which made them feel uncomfortable and afraid; 4.3 per cent of pupils were forced to have sex within the previous 12 months, and perpetrators included classmates, schoolmates, strangers, neighbours and acquaintances.<sup>184</sup> Other types of SRGBV have also been highlighted in various studies. For example, in the city of Can Tho, there were 252 fights among school pupils in 2011, where violence, especially fighting and bullying among girl students outside of school, was reported to be increasing.<sup>185</sup> A 2012 survey conducted by the NGO Centre for Creative Initiatives in Health and Population (CCIHP) among 520 young LGBT people with an average age of 21 revealed that nearly 41 per cent

<sup>183</sup> Greene et al. (2013).

<sup>184</sup> CSAGA, ISDS and Action Aid (2009).

<sup>185</sup> UNESCO (2014).

had suffered from discrimination and violence at school or university. Of the respondents, 70 per cent said that they had been called offensive names, 38 per cent reported that they had been treated unfairly, 19 per cent reported being beaten and 18 per cent reported being sexually harassed. Another study suggests that students also experience sexual harassment within relationship of unequal power or authority, mostly by teachers. 187

# Legal and policy frameworks addressing violence against women

The two laws underpinning Viet Nam's framework for addressing GBV are the Law on Gender Equality (2006), which "strictly prohibits" GBV, and the Law on Domestic Violence Prevention and Control (Domestic Violence Law), passed in November 2007, which addresses violence within the family. In the National Strategy on Gender Equality for 2011-2020, the elimination of GBV is a step towards ensuring gender equality in family as one of its objective. The Strategy set the following targets: by 2015, 40 per cent of identified survivors of domestic violence shall receive counselling services on legislation and health, and shall have support and care from help centres for domestic violence victims, and by 2020, 50 per cent; and by 2015, 70 per cent of identified perpetrators shall be counselled at the domestic violence prevention counselling centres and by 2020, 85 per cent.

To supplement the Law on Domestic Violence and Control, a number of circulars and decrees were issued, including Circular 02/2010/MOCST on detailing the provisions on registration procedures for the operation and dissolution of supporting and counselling facilities for domestic violence victims; Circular 23/2011/MOCST on Collecting Information, Recording and Reporting Family Issues and Domestic Violence Prevention and Control; Decision No. 21/2016: National Regulation on Multi-sectoral Coordination on Domestic Violence Prevention and Control; Inter-Ministerial Circular guiding the implementation of education activities to change behaviours in family building and domestic violence prevention and control in educational institutions under the national education system – MOCST, MOLISA, MOET, MPS – prescribing the roles and responsibilities of domestic violence service providers. In addition, in 2014, the Government launched the National Programme of Action against Domestic Violence through 2020 to step up the Government's awareness and action at different levels, agencies, communities and society as a whole for the prevention and control of domestic violence.

<sup>186</sup> CCIHP (2013).

<sup>187</sup> MOLISA and ILO (2013).

The Programme of Action commits to strengthen leadership and coordination of domestic violence prevention and control, including through: frequent monitoring and evaluation of implementation of laws relevant to domestic violence; communication activities to increase awareness; delivery of services to victims; replication of model interventions; the development of innovative strategies for early detection; strict enforcement of penalties; and investment in research.

To prevent and respond effectively to GBV, the National Thematic Project on "Preventing and responding to gender-based violence for the period from 2016 to 2020 and vision to 2030" was approved on 22 July 2016. It strives to achieve the following targets by 2020: raising awareness, competence and responsibility of governments at all levels, related sectors and organizations and communities in the prevention and response to GBV; 100 per cent of survivors of GBV are identified and supported in a timely manner; 50 per cent of GBV perpetrators are identified GBV perpetrators are consulted or receive appropriate punishment. It is aimed at improving mechanisms and policies to prevent and respond to GBV in order to strengthen law enforcement and ensuring service systems for preventing and responding to violence basis of gender are implemented uniformly across the country towards a safe, equal and violence-free environment by 2030.

# Progress, gaps and limitations

### The governance and coordination mechanism

The Government has adopted mechanisms to coordinate across sectors for the provision of essential services for violence against women survivors This includes Circular 23/2011/MOCST on collecting information, recording and reporting family issues and domestic violence prevention and control, and Decision No. 21/2016/QD-TTg of 17 May 2016 of the Prime Minister promulgating the regulation on inter-sectoral coordination in domestic violence prevention and control among MOCST, MOLISA, MOET and MPS. MOCST has established a national network on domestic violence prevention and control, while Steering Committees on Family Issues has been established and in operation at provincial, district and commune levels, for the implementation of National Programme of Action against Domestic Violence through 2020 with M&E mechanism. Parliament Committee of Social Affairs has developed an oversight tools for the implementation of Law on Gender Equality and Law on Domestic Violence Prevention. Civil society organisations have established Vietnam's Gender-Based Violence Network (GBV Net). GBV Net is a network of 16 international and local NGOs sharing same concerns on elimination of GBV in Viet Nam to actively contribute to GBV prevention

and response programs and to provide efficient and comprehensive services and information about GBV intervention programs.

Despite the Government's commitment to reduce GBV, there remains a number of challenges in the policy context. One of the most significant and cross-cutting issues is the tendency to overlook the linkages between different forms of GBV and address each one independently, with programmes and interventions narrowly focusing on one form, and different ministries and agencies tasked with addressing specific forms of GBV. As a result, different types of GBV are approached and addressed disjointedly that limits a comprehensive approach to GBV and the ability of policies and programmes to develop effective interventions. For example, while domestic violence is under the remit of MOCST, trafficking in persons fall under the aegis of MPS, child marriage under the General Office for Population and Family Planning, and gender equality and gender-driven acts of violence under MOLISA. This results in overlooking the clear links between various forms of GBV and in not comprehensively addressing GBV as a holistic concept.

Moreover, poor coordination between ministries, departments, agencies and NGOs working on different aspects of GBV results in a failure to join the dots between types of GBV and undermines the Government's capacity to comprehensively address GBV. Enhanced coordination would collectively strengthen the individual impacts of different ministries and agencies' efforts to address specific forms of GBV.

## Provision of the essential service packages

The Government has made progress in the provision of services for violence against women (VAW) survivors. In terms of health services, the MOH promulgated Circular 16/2009 TT BYT (2009) to provide guidance to the health care system on screening, counselling, treatment and reporting of survivors of domestic violence at health facilities, together with a protocol to guide the implementation. MOH piloted the implementation of the protocol in some provinces. This includes capacity building of health officers on identification, care, counselling, support, and reporting on domestic violence survivors at health facilities; setting up a server and software system to record cases of domestic violence; and providing counselling to survivors of VAW in piloted general hospitals.

<sup>188</sup> UN Viet Nam (2014).

<sup>189</sup> ihid

In addition, MPS has provided capacity building for local police at all provinces and cities in Viet Nam, and has been piloting a 'model' Rapid Response Team on domestic violence. MPS provided capacity building for local police at all 63 provinces/cities in the country on DVPC. MPS developed the Plan to implement the National Action Plan on Domestic Violence Prevention and Control to 2020 in the MPS system.

The Ministry of Justice has reviewed policing and prosecution of sexual violence and this has contributed to the revision of Penal Code and Penal Procedure Code in 2015.

In terms of social services, MOLISA has established a national hotline for survivors of trafficking and children. Circular 02/2010/MOCST was issued, detailing the provisions on registration procedures for the operation of counselling facilities for survivors of domestic violence. Department of Education and Training of Hanoi has set up counselling services at 20 schools in Hanoi with a vision of expansion across the country. The Center of Women Development under Viet Nam Women's Union has begun to set up a system of shelters for survivors of domestic violence and human trafficking, although progress is very slow. According to the 2013 CEDAW State report, since 2007, ten shelters have been set up nationwide, providing a range of services to 149 survivors of domestic violence.<sup>190</sup> However, one study points out that only two of these shelters are for survivors of domestic violence and their children, with the rest serve the needs of trafficking survivors. Clearly, this response is inadequate to meet the need and the ambitious targets that Government has set in the National Strategy on Gender Equality 2011-2020.

Notably, MOCST developed the Minimum Intervention Package in 2012 with support of UNFPA, and piloted it in Hai Duong and Ben Tre Provinces, with a primary focus on survivors of domestic violence. The Minimum Intervention Package includes four pillars: (i) primary prevention (community information, education and outreach through partnership with the Farmer's Union and Women's Union); (ii) health sector support services –(counselling skills provided by provincial Department of Health); (iii) referral mechanism (hotlines in each province to provide initial counselling and referral to services in health, justice and policing, managed by the Social Work Centre in Ben Tre and the Legal Aid Centre in Hai Duong); and (iv) safety and protection (Ministry of Justice and MPS's development of a circular for grassroots-level prevention and control, a checklist for first responders, and information collection forms for police and legal officers).

Some of the challenges that have been identified in services for women and girls who have experienced VAWG include: the fact that to date, most interventions are small-scale pilot programmes; the heavy focus on reconciliation and mediation as primary solutions for VAWG cases regardless of the will of survivors; limited knowledge and skills of the law and lack of gender sensitivity among local authorities, police, legal aid providers and others; and lingering stigma towards VAWG, which tends to place the blame – and responsibility for avoiding violence – on women.<sup>191</sup>

#### Prevention by changing attitudes and behaviour

The United Nations and the Government of Viet Nam, as well as international NGOs and community-based organizations, engage frequently in public information campaigns of many sorts to raise awareness of the issue among both women and men. Programmes aimed at raising awareness and reducing the rate of GBV were introduced, notably the Government of Viet Nam and UN's Joint Programme on Gender Equality (2009) and 16 Days of Activism to End Violence Against Women under the UN Secretary General's Campaign UNITE to End Violence Against Women. More recently, the Government has taken initiatives to implement awareness raising campaigns "Action Month to End Domestic Violence" by MOCST in June, and "Month of Action on Gender Equality and Gender-Based Violence" by MOLISA in November annually. Interventions implemented through these initiatives include awareness raising campaigns among community members, local leaders and policy makers as well as the development of education and communication materials. Men and boys have been targeted by the initiatives, such as the national "I am a Man, I am against Violence" campaign or the "Gender Equity Movement in Schools" in Da Nang<sup>192</sup> and clubs targeting men and boys such as the "Men's Advocate Clubs" implemented by Da Nang Women's Union, as well as violence prevention training courses initiated with male perpetrators.<sup>193</sup>

While Viet Nam has taken steps to raise public awareness on VAWG, it is often limited to the individual form of VAWG and calling on women survivors to 'speak out'. However, this approach is inadequate to address underlying social norms and attitudes that normalize VAWG, which also makes disclosure, law enforcement, reporting and successful prosecution more difficult. The Government, civil society organizations (CSOs) and other partners need to promote favourable social norms, attitudes and behaviours at community and individual levels to

<sup>191</sup> UNODC and UN Women (2013).

<sup>192</sup> ICRW (2012).

<sup>193</sup> Ministry of Culture, Sports and Tourism (2013).

prevent VAWG before it starts, through education, media and community mobilization.

The significant drivers of GBV are gender power inequalities and social attitudes and norms that promote "happy families" and stigmatise women who report violence in the family and condone or tolerate male violence towards spouses. The Government's behaviour change communication efforts and objectives do not include specific interventions to address such attitudes either within the public or within agencies and authorities.<sup>194</sup>

### Limitations in the legal framework

The Domestic Violence Law was an important breakthrough in protecting women from this specific form of GBV. The law makes all forms of domestic violence (physical, sexual, economic and psychological) illegal. It is important to note, however, that the law does not explicitly focus on women nor does it clearly state that domestic violence is a violation of women's legal rights. Moreover, the law does not explicitly call for criminal sanctions; domestic violence is seen as a conflict within the family that is subject to civil remedies (prohibition orders, fines, reconciliation and re-education), except in very serious cases. In order to file a criminal case, there must be a certain prescribed degree of physical harm, and charges must be filed by the victim herself. A UNODC report found that only 1 out of 100 cases of domestic violence results in criminal conviction. <sup>195</sup>

In addition to the Domestic Law, the newly amended Penal Code (2015) addresses sexual crimes by extending the range of prohibited acts to include "other sexual acts"; this refers to any penetration of a sexual nature including illegal sexual penetration between LGBT groups and men as survivors of sexual crimes. This is very significant change for the effective application of sexual violence provisions in practice. However, other recommendations by experts such as changing the definition of rape to be based on non-consent rather than force and explicitly including marital rape in the legislation have not been addressed. Moreover, the emphasis on a certain minimum degree of physical injury as evidence of violence for criminal sanction has been retained.

The Criminal Procedure Code also revised in 2015 contains some important changes for the protection of survivors of GBV and for other participants in criminal proceedings, such as the introduction of Chapter XXXIV on Protection of Whistleblowers, Witnesses, Survivors

194 UN (2014).

195 UN Women (2012).

and other Participants in proceedings. However, the changes do not consistently reflect the guiding principles of the UN 2010 Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, which emphasizes "that crime prevention and criminal justice responses to violence against women must be focused on the needs of survivors and empower individual women who are survivors of violence". <sup>196</sup>

## Challenges in access to justice

There are gaps and barriers in the treatment of GBV by the government and in the justice system consisting of parallel State, quasi-state, and non-State systems.<sup>197</sup> This is particularly evident in the treatment of domestic violence.

Article 3 of the Domestic Violence Law outlines the principles for dealing with domestic violence; the first of these is "Taking ... measures to prevent and fight domestic violence with preventive measures as key and special attention paid to communication and education on family values, counselling and reconciliation in line with the fine traditional and cultural practices of Viet Nam". 198 Accordingly, most domestic violence cases are handled through Grassroots Reconciliation Committees which "quide, assist and persuade" parties in a dispute to reach an agreement outside of the courts. The Law on Grassroots Reconciliation lists as one of its quiding principles: "Conform with State policies and laws, the social ethics and the fine customs and practices; promote unity, solidarity, mutual aid among family members, parents and communities; show interest in the rights and legitimate interest of children, women, the disabled and the elderly." Although another principle is to "Ensure gender equality in organizing and conducting reconciliation at grassroots level", the Law does not spell out how this is to be achieved. In practice, domestic violence is usually tolerated and endured for the sake of family harmony (in line with the principle on "fine customs and practices", and promoting unity, solidarity, and mutual aid among family members). With these principles in mind, the reconciliation team will tend to convince the parties to settle the dispute or incident within the private domain, rather than seek legal services or bring the case to court.

Mediation of domestic violence cases for reconciliation has been studied by experts in

<sup>196</sup> General Assembly. 2011. Resolution adopted by the General Assembly 65/228: Strengthening crime prevention and criminal justice responses to violence against women.

<sup>197</sup> UN Women and Ho Chi Minh National Academy of Politics Institute of Sociology (2015).

<sup>198</sup> Socialist Republic of Viet Nam. 2007. Law No. 02/2007/Qh12. Law on Domestic Violence Prevention and Control.

many countries and have been deemed "problematic and dangerous" for domestic violence victims. 199 Experts consider it inappropriate for domestic violence cases, because family members and local community leaders are likely to reflect their own gender biases and preconceived notions about gender roles in the reconciliation process. Thus, it does not address the root cause of GBV, which is the inherent imbalance in the power relationship between the parties, but rather, it attempts to persuade both sides to reach a compromise that often reinforces the basic gender inequality and leaves the woman in the abusive situation. 200 The law, in fact, stipulates that, although events of a criminal nature should be channelled through the legal system rather than reconciliation, a woman can choose to opt out of legal proceedings. This is another reason that GBV cases tend not to be addressed through the legal system.

Another deterrent to justice for survivors is access to legal aid. While low-income and minority women have preferred access to legal aid, it is not clear to what extent it is used in GBV cases. Under the Legal Aid Law (2006), women whose household income is above the poverty line must pay for legal aid, even if they do not have access to household income or property, and/ or are survivors of domestic violence. In an effort to specifically address GBV, the Ministry of Justice Circular No. 07 (2011) identifies categories of women who are to be prioritized by legal aid organizations, including women who have experienced domestic violence, human trafficking, exploitation and sexual abuse. However, the Legal Aid Law has not yet been revised to include this provision;<sup>201</sup> advocates are campaigning for it to be included in the scheduled amendment to the Legal Aid Law in 2016, and UN agencies are working with the National Legal Aid Agency and the Ministry of Justice to propose revisions.

As with domestic violence, rape and sexual violence both outside and within marriage/relationships are little studied and under-reported in Viet Nam. The vast majority of women who experience violence (87 per cent) do not seek help unless severe violence has occurred.<sup>202</sup> An in-depth study based on interviews with 900 women in nine provinces who were survivors of domestic violence and who had contacted local authorities provides some insight into the treatment of GBV survivors in the justice system. The majority of the participants were rural women. Of all the reported cases of domestic violence, only 43 per cent were reported to police. Older or divorced survivors were more likely to contact the police. Although most

<sup>199</sup> The Advocates for Human Rights (n.d.)

<sup>200</sup> Gardsbane et al. (2010).

<sup>201</sup> United Nations Office on Drugs and Crime (UNODC) and UN Women (2013).

<sup>202</sup> UN Women (2012).

survivors felt comfortable dealing with the police, one-third were told to solve the incidents within their families, and a further 15 per cent to seek assistance from other agencies. The results of police intervention were quite limited. In some cases, the complaint led to more severe violence. Charges were laid against the perpetrator in only 12 per cent of cases and on average, only 1 per cent of cases led to a conviction in court. About two-thirds of these cases went through reconciliation, usually by the Women's Union. However, in 77 per cent of these cases, the reconciliation failed and the violence continued. The study noted that the reconciliation teams did not have adequate training and skills to deal with domestic violence.<sup>203</sup>

A more recent study by UN Women and the Institute of Sociology, Ho Chi Minh National Academy of Politics identifies a number of legal, institutional and structural challenges to the current system for dealing with GBV. First, there are significant gaps in the legal framework: "Measures taken against perpetrators of domestic violence at quasi and non-State legal systems remain inadequate and punishments ineffective to deter perpetrators from causing violence. In fact, the reality is they erode survivors' trust in a legal system that fails to provide necessary protection."<sup>204</sup> Implemented sanctions are weak and have little deterrence effect. The State system has stronger sanctions at its disposal, such as imprisonment, but these are rarely used. The study found an over-reliance on reconciliation, where even the police often attempted mediation as a first response.

In addition, many women do not pursue protection from violence because they are dependent on the abuser for financial security, shelter and social status within a community. According to a 2015 UN Women report:

Women, particularly ethnic minorities, have little control over land use and family properties. This makes women economically dependent on their husbands and in-law families. ... Such dependence prevents women from seeking justice due to fears they may become homeless.... In addition, some ethnic minority couples are married without legal marriage certificates and such women face uncertain consequences of legal procedures, including entitlement to child custody.... As a consequence, divorce as an option to escape violence is often rejected and drives women towards reconciliation measures, even though they often do not provide necessary protection or redress.<sup>205</sup>

<sup>203</sup> UNODC (2011).

<sup>204</sup> UN Women and Ho Chi Minh National Academy of Politics Institute of Sociology (2015).

<sup>205</sup> ibid.



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## **Gender and rural development**

Women are a crucial part of the agricultural labour force in Viet Nam and make an essential contribution to national economic development. Although agriculture only accounts for 21 per cent of Viet Nam's GDP, 46 per cent of the labour force was engaged in agriculture in 2014.<sup>206</sup> Overall, from 2000 to 2012, the share of the workforce engaged in agriculture declined from about 62 to 46 per cent, whereas the share of employment in industry increased from 13 to 21.5 and employment in services increased from 25 to 32 per cent.<sup>207</sup> This process is occurring at a comparable pace for women and men: according to the 2012 VHLSS, the share of both the male and female workforce engaged in agriculture decreased by about 13 percentage points between 2002 and 2012.

Nevertheless, agricultural employment is still more significant for women than for men, especially in rural areas: as of 2014, 48 per cent of the female workforce and 45 per cent of the

206 GSO (2015).

207 ibid.

male workforce were engaged in agriculture.<sup>208</sup> In rural areas, this gender difference is even more pronounced, with 63 per cent of working women engaged in agriculture compared to 57 per cent of working men.<sup>209</sup> There are also pronounced regional differences in these gendered patterns: agriculture is female-intensive in the North but not in the South, and there are many more women (and men) in agriculture in the poorest regions than in the two river delta regions. In the Northern Midlands and Central Highlands, three-quarters of women work in agriculture compared to only one-quarter of women in the South East.<sup>210</sup>

In general, according to Viet Nam's 2013 State Report to the CEDAW Committee, "Vietnamese rural women are still less privileged than men. The primary reason lies in the unequal access to and control over key resources in agriculture, as well as the lack of gender sensitivity in agricultural services."211 Viet Nam is currently implementing a far-reaching rural development programme: in 2010, it launched the National Target Programme on New Rural Development (NTP–NRD) 2010-2020. This comprehensive programme covers: rural planning; socio-economic infrastructure development; development and restructuring of the rural economy; development of rural incomes; poverty reduction and social protection; renovation of production organization; rural education and training; healthcare for rural residents; culture, information and communication; water supply and rural sanitation; improvement of the operation of the local party/government system; and the maintenance of rural security and public order. However, the document neither mentions gender nor analyses rural issues from a gender perspective. It has also been criticized for paying inadequate attention to the issues of ethnic minority women and men in rural areas. It is expected that the new Social Economic Development Plan (SEDP) 2016-2020 will prioritize rural development together with the continuation of the NTP-NRD.<sup>212</sup>

# Gender roles in agriculture

In rural Viet Nam, women tend to work in agriculture as unpaid labourers on family farms and as paid or unpaid workers at other farms and agricultural enterprises. In addition, migration or transition to non-agricultural work by male agricultural workers has increased the relative

<sup>208</sup> ibid.

<sup>209</sup> UN Women and FAO Viet Nam (2014).

<sup>210</sup> GSO (2012b).

<sup>211</sup> Government of Viet Nam (2013).

<sup>212</sup> UN Women and FAO Viet Nam (2014).

number of women in agriculture as de facto household heads.<sup>213</sup> Research from various sources indicates that women, particularly those in female-headed households, are more likely than men to own or operate smaller farms and cultivate subsistence crops, have less irrigated land, and cultivate smaller land holdings. Women also own less than 10 per cent of commercial farms.<sup>214</sup> Due to entrenched gender roles, women's decision-making power over agriculture at both the household and institutional/government levels is still limited as well.

As in most societies, there is a distinct gendered division of labour in agriculture, influenced largely by women's triple role in production and domestic work and care, as well as their generally more limited access to and control over land, resources, information and technology. Although there is a shortage of detailed national-level, gender-sensitive research on time-use, one representative study in six provinces found that, in a typical day, wives work 1.2 hours more than husbands. Men spend more time than women in wage labour, while women carry out most of the household farming work, which is more flexible and can be balanced with the responsibility for taking care of children, the elderly and sick family members.<sup>215</sup> Research indicates that these roles are rooted in local gender constructions and cultural practices that are more pronounced in rural than in urban areas, particularly in ethnic minority communities. They are accepted as normal by both women and men. Hoàng et al. (2013) found that:

When analysing by gender, we find that the wives reported higher levels of agreement with taking on a larger share of domestic duties than their husbands did (61.1 per cent compared with 50.5). Wives expected their husbands to take on a higher share of the household financial responsibilities and interactions outside of the home.<sup>216</sup>

### Ownership and control over land and resources

The Land Law of 1993 covers gender differences in the control over land and resources. It governs lease rights on agricultural land that is owned by the State. In addition, it allowed farmers to trade, transfer, rent, bequeath and mortgage their land-use rights. In terms of women's land rights specifically, the most significant provisions are those governing the registration of land use rights.

- 213 ibid.
- 214 ibid.
- 215 Oxfam Quebec (2008).
- 216 Hoàng Cầm et al. (2013).

The 1993 Land Law introduced the system of land use certificates (LUCs). The wording in the original 1993 legislation governing LUCs was gender-neutral under the implicit assumption that marital property belonged equally to husbands and wives. In practice, issuance of LUCs was very uneven and almost always issued in the husband's name, at least in part because the original forms only contained space for one name to be listed.<sup>217</sup> The 2003 and 2013 revisions of the Land Law made it clear that both the husband's and wife's names are to be included – or that if only one name appeared, there had to be written consent from the other spouse – but implementation was and continues to be very uneven and not well-enforced. In addition, the new rules were not retroactive: they did not apply automatically to pre-existing, single-name LUCs, although the LUC could be amended to include both names, if the holders chose to go through the necessary bureaucratic procedures to do so. However, it appears that many people are unaware of this provision, or simply do not consider it important enough to take the trouble.

Other relevant legislation such as the Law on Gender Equality, the Law on Inheritance, the Civil Code, and the Law on Marriage and Family also reinforce the equal property rights of women and men, including the rights to dispose of their property to anyone and to inherit the estate according to the will or as defined by law. The Law on Marriage and Family also guarantees equality in rights and obligations between husband and wife, including the rights and obligations regarding possession, use and disposition of common property.<sup>218</sup>

Nevertheless, as recently as 2008, Viet Nam's 2013 State Report to the CEDAW Committee states:

91.1 per cent of certificates of land use rights over aquaculture water surface stated the names of both husband and wife. The lowest percentage was recorded for agricultural land, averaging only 10.9per cent. For residential land, the rate was 18.2 per cent and 29.8 per cent for rural areas and urban areas respectively.<sup>219</sup>

The 2015 Concluding Observations of the CEDAW Committee underlined the significance of this issue: "The Committee [...] remains concerned that, in practice, male-only certificates are often issued and that mediation of disputes tends to privilege men over women".<sup>220</sup>

<sup>217</sup> Menon and Rodgers (2012).

<sup>218</sup> Hershkovitz (2012).

<sup>219</sup> Government of Viet Nam (2013).

<sup>220</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) CEDAW/C/VNM/CO/7-8 (2015).

In addition to the issue of LUCs, there are numerous other obstacles preventing women from exercising their land rights in practice: ambiguities in the law itself; the legal system, which also recognizes customary law regarding marital property, succession, inheritance, etc.; constrained access to legal services and limited awareness/understanding of the law; the role of reconciliation committees in mediating disputes; local gender attitudes; and the exclusion of certain groups of women, such as never-married women and wives in undocumented marriages. All the available research makes it clear that access to land in Viet Nam is determined above all by traditional local practices of kinship, inheritance and succession, regardless of any equity guarantees in the law; hence, in practice, wives do not have equal control over land and property; daughters generally do not inherit property in equality with sons; and daughters-in-law have little claim over marital property originally belonging to their husband's family. All of these issues are particularly true for families that traditionally practice patrilineal succession and patrilocal marriage, which is practised by the majority of the population in Viet Nam.<sup>221</sup>

In addition, when disputes over property arise, they are most commonly dealt with through the reconciliation process, through which most land disputes are adjudicated before ever going to court. According to research, factors such as family and community pressure, and unequal power relationships between husbands and wives, can act as major barriers to women accessing their land rights according to the law.<sup>222</sup> Thus, there are numerous cases where sisters consent to relinquish land rights in favour of their brothers, or widows and divorced women lose their land to their husband's family, regardless of the work and investment they have contributed over the course of the marriage.

A recent study based on empirical evidence from the VHLSS has highlighted the far-reaching importance of securing women's land rights:

Results indicate that jointly-held rights in particular have positive and significant effects on women's self-employment in agriculture, particularly in households with male heads. Land-use rights registered jointly are also found to reduce the proportion of women engaged in housework and to increase the maximal educational attainment of women in the home. In terms of vulnerability, there is robust evidence that jointly-held land-use rights reduce the incidence of general poverty among households.<sup>223</sup>

<sup>221</sup> Hershkovitz (2012).

<sup>222</sup> Hoàng Cầm et al. (2013).

<sup>223</sup> Menon and Rodgers (2012).

In terms of the impact on women's empowerment:

... qualitative data provides direct evidence that respondents overwhelmingly felt that women with their names on a LUC have relatively more decision- making power on a variety of economic, political and social scales. ... Standard economic models argue that improvements in a woman's fallback position serve to strengthen her relative bargaining position within the home and her ability to contribute to the economic viability of households. On balance, our results indicate that land-use rights in women's names do indeed serve this role, thus providing a clear rationale for strengthening procedures to encourage titling to land for everyone, particularly women.<sup>224</sup>

#### Access to training, information and technology, and credit

In addition to access to land, there are other factors that contribute to gender disparities in rural areas, including disparities in access to vocational training and agricultural extension services, information, technology, and credit. As a result, the 2014 Policy Brief on rural women by the Food and Agriculture Organization of the United Nations (FAO) and UN Women concludes that "[t]hese factors, coupled with the heavy burden of unpaid household and/or community duties, have a negative impact on women's labour productivity in agriculture and off-farm sectors".<sup>225</sup>

Ministry of Agriculture and Rural Development data from 2014 indicates that 71 per cent of rural women labourers were unable to access vocational training, in comparison with 60 per cent of rural men.<sup>226</sup> Moreover, the type of vocational training available to women is often short-term and concentrated on 'traditional' women's skills. This limited access to technical agricultural training leads to gender inequalities in access to and adoption of new technology and methodologies that will lead to higher productivity.

This observation is borne out by the FAO/Sida gender profile of agricultural households. Although out of date to some extent (as it is based on the 2006 Rural, Agriculture, and Fishery Census), and focused on female-headed households rather than rural women more generally, this is the most comprehensive source of information on gender gaps among rural

<sup>224</sup> ibid.

<sup>225</sup> UN Women and FAO Viet Nam (2014).

<sup>226</sup> Ibid.

households nationwide. The report indicates that female-headed rural households tend to have smaller landholdings than male-headed households, less land area under irrigation, and less ownership of basic machinery such as small tractors and water pumps. In terms of information access from different sources, including agriculture extension, the mass media and other sources (i.e. relatives/friends, services, neighbours, meetings), the 2006 Census found that 43 per cent of all male-headed rural households received information from agricultural extension workers 12 months prior to the census, compared to 35 per cent of female headed households. Further, male-headed households have greater access to mass media, with 51 per cent receiving information through mass media compared to 45 per cent among female-headed households.<sup>227</sup>

In addition to restricted access to training and technology, rural women also face barriers in accessing credit. The 2006 rural census, which collected data on loans for production and business purposes, found that at the national level, only 31 per cent of rural households took out a loan for production or business purposes, and that, proportionally, fewer female-headed households accessed loans: 24 per cent as opposed to 33 per cent for male-headed households.<sup>228</sup> While there are numerous sources of preferential loans for rural women, a recent review of social protection policies reported that these programmes tend to be fragmented, implemented by many different locally based agencies, and poorly coordinated with training and extension programmes.<sup>229</sup>

<sup>227</sup> FAO and Sida (2010).

<sup>228</sup> Ibid.

<sup>229</sup> UN Women (2015b).



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The gender gaps and inequalities outlined above in this Briefing Kit apply more to women and girls who are members of ethnic minorities and who thus face intersectional discrimination based on both gender and ethnicity. As the recent UN Women briefing note on ethnic minority women and girls points out, "Intersecting patterns of inequalities based on sex and on ethnicity further increase the risk of social exclusion and marginalization of [ethnic minority] women and girls."<sup>230</sup> Although Viet Nam is party to the Convention on Elimination of All Forms of Racial Discrimination (CERD), and the 2013 Constitution prohibits discrimination on the ground of ethnicity (as well as sex), CERD is concerned that 'racial discrimination' is not defined in Viet Nam. Under CERD, racial discrimination includes any distinction, exclusion, restriction or preference based on ethnic origin.

While Viet Nam has 54 officially recognized ethnic groups, the Kinh (Vietnamese) account for 87 per cent of the population.<sup>231</sup> Most of the remaining 53 ethnic groups belong to eight different language groups, who mostly reside in remote, mountainous rural areas.<sup>232</sup> They are defined as "those who have Vietnamese nationality and reside in Viet Nam, but do not share the identity, language and other cultural characteristics of the Kinh people". The majority of

<sup>230</sup> CEMA and UN Women Viet Nam (2015).

<sup>231</sup> IWGIA (2014).

<sup>232</sup> UNICEF, Ministry of Education and Training and UNESCO (2008).

these groups live in remote regions of the North, the Central Highlands and the Mekong Delta. Although they have different origins, languages and customs, they share similarities in terms of gendered patterns of poverty, and gaps in educational attainment and health.

In general, there are wide and persistent gender gaps both within ethnic minorities and between ethnic minorities and the Kinh majority. Among ethnic minority people, women and girls are the most disadvantaged group in terms of access to opportunities and resources and in having their voice heard "as social norms belittle and confine them to reproductive activities and household production".<sup>233</sup>

#### Policies for ethnic minorities and gender equality

In Viet Nam, extensive policies have been developed to support the socio-economic development for ethnic minority areas. The policies related to ethnic minorities are divided into two main groups: (i) those issued by the Government; and (ii) those issued by the Prime Ministeron socio-economic development. These policies cover all the facets of socio-economic development in ethnic minority areas, such as: production development (land, capital, product distribution); infrastructure development; living condition improvement, clean water and sanitation; education and training; market development and job creation; healthcare; information and culture development; legal support; political system development; national defence and environmental resource protection, etc.<sup>234</sup> However, these policies are often overlapping and inconsistent, and lack gender-sensitivity.

The mainstream policies including those on gender equality are not ethnic minority-sensitive. For example, although the National Strategy on Gender Equality 2011-2020, Objectives 2 and 3 specifically refer to the needs of ethnic minority women and recognize their vulnerability in terms of gender and their high risk of being subject to gender discrimination, activities in this regard provided in the Strategy are, however, unclear. Interventions in the National Programme on Gender Equality 2011-2015 were limited to raising awareness on gender equality without addressing the main roots of gender-based inequality among ethnic minority women and men. The new National Action Programme on Gender Equality 2016-2020 contains no specific activities on issues concerning ethnic minorities.

<sup>236</sup> CEMA and UN Women Viet Nam (2015).



<sup>233</sup> CEMA and UN Women Viet Nam (2015).

<sup>234</sup> MPI, CEMA and UNDP Viet Nam (2015).

<sup>235</sup> CEMA (2015). Proposal no. 05/TTr-UBDT on Issuance of Decision approving EM-MDG Acceleration Framework in line with Post-2015 Development Goals.

Many ethnic minority women in Viet Nam face structural and persistent barriers to access to services and employment. They may face systemic discrimination in issues such as basic health care and land use rights. They are less likely to be educated and may carry most of the unpaid work burden. Further, many ethnic minority girls risk child marriage and/or forced marriage due to patriarchal attitudes and entrenched gender stereotypes regarding the roles and responsibilities of women and men in the family and in society. Moreover, many ethnic minority women and girls suffer in complex and subtle way from both gender and ethnicity discrimination. Discrimination may be compounded and/or intersecting.

#### Education for ethnic minority women and girls in Viet Nam

The Vietnamese Government has taken various measures to address the disadvantages of ethnic minorities in access to education and to close the gap with majority Kinh. These measures are mostly gender-neutral. Similarly, the Law on Gender Equality does not mention ethnicity status. The Constitution 2013, the Law on Children 2016, the Education Law 2005, the Law amending and supplementing a number of articles of the Education Law 2009, the Law on Higher Education 2012 and the Law on Gender Equality include equality and non-discrimination clauses that prescribe that all citizens, regardless of ethnicity or gender, are equal in learning opportunities. The Constitution stresses that the State shall prioritize educational development in mountainous areas, where ethnic minorities live. The Education Law 2005 requires the State to create conditions for everyone to obtain access to education, including children of ethnic minorities. This Law also includes various articles that aim to address ethnic minority disparities in accessing education, such as the establishment of boarding schools, grants of scholarships for ethnic minorities, the adoption of tuition subsidies for ethnic minorities, preferential credit policies regarding interest rates. The Law on Gender Equality includes provisions on equal access to education for boys and girls. Specific measures, such as temporary special measures, on access to education for ethnic minority girls are needed to overcome their disadvantages, because the combination of gender and ethnicity status causes extra barriers to their access to education.

# Gender-based violence against ethnic minority women in Viet Nam

Ethnic minority girls are at a higher risk of being subjected to GBV and child and/or forced marriage due to, among others, traditional attitudes regarding the subordinate role of women that persist among many ethnic minority groups. Although GBV is prohibited in the Constitution, the Law on Gender Equality and the Law of Domestic Violence Prevention and Control, it is still a widespread practice across Viet Nam. There are no legal measures that

specifically mention GBV against ethnic minority women and girls. Ethnic minority women are generally unaware of their rights and the protection system against violence. The district authorities responsible for the dissemination of information on legal protection measures lack human and financial resources to reach ethnic minority women. In the Civil Law and Law on Domestic Violence Prevention and Control, there are general regulations to prevent, investigate, prosecute and punish acts of violence and domestic violence, but they do not mention the vulnerable situation of ethnic minority women. Similarly, there is no mention of ethnic minority women in law and policy governing access to justice and legal aid. Child and/or forced marriage is prohibited by the Law on Marriage and Family 2014 (Article 5) and the Law on Domestic Violence Preventing and Control 2007 (Article 2). The Penal Code amended in 2015 provides for sanctions to those who violate these provision (Article 181). However, there is no particular mention of ethnic minority women and girls. Despite these legal prohibitions, child and/or forced marriage is practised in Viet Nam.

#### Health care for ethnic minority women in Viet Nam

The policy on maternal health care (e.g. the national strategy on protection, caring and improving people's health in the period 2011-2020 with a vision to 2030) devotes special attention to remote areas. Furthermore, there is policy on making investments in clinic service centres in disadvantages areas. An important recognition of multiple discrimination and the vulnerability of ethnic minority women in maternal health care is Article 17(3) of the Law on Gender Equality. In general, the communal health centres and village health networks have limited capacity to address the needs of ethnic minority women and maternal mortality rate remains high in rural and mountainous areas and among ethnic minority women. In Viet Nam, only 33 per cent of pregnant ethnic minority women made four or more antenatal care visits in 2013-2014, compared to 82 per cent for pregnant Kinh and Hoa women. Another aspect of improving maternal health is by increasing delivery in a health facility and increasing skilled assistance during delivery. According to the MICS 2014, only 67 per cent of ethnic minority women give birth in a health facility compared to 99 per cent of Kinh and Hoa women. Similarly, the rates of institutional deliveries and postnatal care are far lower among ethnic minority women than majority women. As regards the costs of health care services, the Law on Health Insurance 2014 prescribes a health insurance for ethnic minority people living in areas with difficult or exceptionally difficult social-economic conditions. This Law is gender-neutral. Policy measures require commune health centres to have water sources and sanitary latrines; however, in practice, adequate eater, sanitation and hygiene (WASH) services in rural and mountainous areas is a challenge. There are signs pointing to an increase of the SRB among ethnic minorities, such as Dao and H'mong groups, which is underscored

by Women's Union members working with ethnic minorities in Luong Son District.

#### Gender equality within the family for ethnic minority women in Viet Nam

Indicators on gender equality show that progress is being made in this field. The progress is, however, not distributed evenly across population groups in Viet Nam. Many ethnic minority women are still not benefitting from the various legal protection measures against gender inequality and discrimination that are enshrined in the Constitution, the Law on Gender Equality, the Law on Marriage and Family and the Civil Code. This is partly due to the fact that is difficult to change deep-rooted stereotypes about both ethnic minorities and women. There is also a lack of human and financial capacity at the national and local level that hampers the implementation of legal provisions on gender equality. The reality is that discriminatory social norms and practices accord women a subordinate role in the family. Men are considered the head of household and the primary decision-maker. Many ethnic minority women are prevented from having equal access to resources and from enjoying equality of status in the family and society. Child and/or forced marriage and polygamy are harmful practices prevalent among some ethnic minority groups. Finally, the Law on Marriage and Family provides a lower marriageable age for women than for men, which constitutes a clear inequality on grounds of sex. Furthermore, the Child Law expressly mentions the duties of children to the family: "learning, training, maintaining family routines, helping parents and family members of the task in accordance with the age, gender and the development of children" (emphasis added). The inclusion of "gender" appears to build on the assumption that there are differences in household chores suitable to girls and boys. Article 52 of the Law on Marriage and Family encourages the use of grassroots reconciliation in case of divorce. It should be ensured that reconciliation procedures are not gender-biased.

# Land use certification for ethnic minority women in Viet Nam

The Constitution recognizes land use rights for all citizens; the provisions are gender-neutral. The Land Law 2013 stresses that the land use right certificate needs to be granted to both the husband and wife (Article 98(4)). There is no reference to the particularly vulnerable position of ethnic minority women. The inclusion of this particular Article is to ensure gender equality in terms of granting equal access to social resources and ensuring women's equal right to land. Despite the stipulation in the Land Law, in practice, this right has not been fully executed. Moreover, even among ethnic minority women who have their name on the certificate, many of them still encounter barriers preventing them from enjoying their legal rights. Barriers include: customary and all other practices that prejudice and perpetuate the notion of the inferiority of women and the superiority of men, and of stereotyped roles

for women; the lack of access to justice to claim legal land use rights including the lack of awareness of women's legal right to have their name on the LUC; and the settling of land disputes through grassroots conciliation.<sup>237</sup>.

This lack of gender- and ethnic minority-sensitive policies is attributed to an insufficient sex-disaggregated information and database of ethnic minorities in Viet Nam and limited capacity within the governmental organizations to formulate, implement and monitor gender-responsive policies addressing ethnic minority issues.

### **Economic and social disparities – gender dimensions**

A recent analysis by the VUFO-NGO Resource Centre (2014) revealed interesting findings about the participation of ethnic minority women in Viet Nam's economic development. The report found that, while there were no specific barriers to ethnic minority women's participation in economic development, neither are there specific policies facilitating their participation. Hence, there are no specific economic development programmes, nor targeted capacity development programmes, nor targeted access to credit for ethnic minority women. Ethnic minority women lack knowledge and information on local poverty reduction and economic development programmes and policies due to language barriers and limited dissemination in ethnic minority areas. Participatory planning mechanisms are also lacking in ethnic minority regions, and there is no gender mainstreaming in local development agencies.

The interaction of a number of factors influences the overall human development situation of ethnic minority women. Using the H'mong as an example, the 2009 census revealed that the infant mortality rate in this group was 46/1,000 live births, about three times higher than that of the national level (16/1,000 live births). Life expectancy in this ethnic group is 64.3 years, 8.5 years lower than the national average. The H'mong ethnic group has the literacy rate of population aged ten years and over of 46 per cent, the percentage of population over 15 years of age who have never attended school of 61.4 per cent, and the percentage of population living in permanent houses of only 5.7 per cent, while the national figures are 94 per cent, 5 per cent and 46.7 per cent, respectively. A similar situation holds true for the other ethnic groups. According to a report by UNFPA:

It is clear that high fertility in combination with poverty and illiteracy can create a vicious cycle that inhibits the development of ethnic minorities in general and the H'mong ethnic minority group in particular. Although many programs have been designed and

implemented by the Government to support the ethnic minorities, still many "pockets of poverty" in the country exist, many of which contain people of ethnic origin.<sup>238</sup>

Among minority ethnic groups, gender disparity is demonstrated clearly by the literacy rate, the attending school rate by age, and the never attended rate. Women obviously belong to a disadvantaged category within their own ethnic groups, especially in the case of the H'mong, Thai and Khmer. The main reason that women find it difficult to participate in economic activities is their limited access to education.<sup>239</sup>

# **Poverty**

One of the most persistent patterns of chronic poverty in Viet Nam is poverty within ethnic minority people. Although ethnic minorities account for only 14.5 per cent of the population, only 5.1 per cent of the Kinh and Hoa ethnic population was below the poverty line in 2014, which was almost 29.1 per cent for all other ethnic minority groups combined. Ethnic minorities that have the highest poverty rate are: H'Mong, at 61.5 per cent; Thai, at 38.9 per cent; Dao, at 30.4 per cent, among others<sup>240</sup> Moreover, ethnic minorities have a lower probability of escaping poverty than the ethnic majority.<sup>241</sup>

Since poverty is measured in terms of households rather than individuals, it is difficult to isolate gender differences in poverty. Ethnic minority women often suffer more from the effects of poverty than do men, due to lack of decision-making power, lower education levels and fewer opportunities, making them the poorest of the poor. Due also to gendered social customs of many ethnic minority groups, in most groups men customarily control all assets including livestock and land-use certificates. Interestingly, however, there is a considerable difference in the incidence of poverty between male- and female-headed ethnic minority households: nearly 44 per cent of male-headed households were poor, while the poverty rate of the female-headed was only 33 per cent.<sup>242</sup>

<sup>238</sup> UNFPA (2011a).

<sup>239</sup> Ibid.

<sup>240</sup> GSO (2014a).

<sup>241</sup> ibid.

<sup>242</sup> CEMA and UNDP Viet Nam (2010).

# **Employment and access to resources**

Ethnic minority women tend to start working at a younger age than Kinh women, reflecting their low levels of school attendance. The average rate of ethnic minority women participating in the labour market is almost 83 per cent, much higher than the rate of 70 per cent for Kinh and Hoa women. They are, however, less likely to engage in wage employment. The 2014 Viet Nam Labour Force Survey shows that the rate of ethnic minority women employed as wage workers was approximately 40 per cent, compared to 43 per cent of Kinh and Hoa women. The lowest rates of ethnic minority women groups engaging in wage employment were found among H'mong women (28 per cent), Muong women (30 per cent) and Thai women (33 per cent). The survey also indicates that the rate of ethnic minority women engaging in wage employment was lower than that of men.<sup>243</sup> However, female-headed households are more reliant on wage employment activities such as providing wage labour for other agricultural households than male-headed households. Female-headed ethnic minority households possess on average less annual cropland than male-headed households, and their income from agriculture is less than half that of male-headed households.<sup>244</sup>

In rural areas, more than 77 per cent of ethnic minority women are self-employed in agriculture. Limited access to education and the inability to leave their communities leads to fewer opportunities for wage employment or off-farming jobs for ethnic minority women. Among most ethnic minorities, women have limited rights to land and credit: in 74 per cent of ethnic minority households, the men are the single land title holders, compared to 41 per cent for the Kinh households.<sup>245</sup> This is partly because most ethnic minority cultures are patrilineal, where their land and other properties passed down through the male line. Among the H'mong, for example, inheritance totally bypasses daughters in favour of sons.<sup>246</sup>,<sup>247</sup> In addition, in many cases, women are not aware of their legitimate right to have their name on the LUC.

<sup>247</sup> Jones, Presler-Marshall and Tran Thi Van Anh (2014).



<sup>243</sup> CEMA and UN Women Viet Nam (2015).

<sup>244</sup> CEMA and UNDP Viet Nam (2010).

<sup>245</sup> CEMA and UN Women Viet Nam (2015).

<sup>246</sup> Although patrilineal practices are dominant in the majority of ethnic groups, matrilineal practices, where inheritance is through the mother's line or where the newly married couple lives with the parents of the bride, are still dominant in some ethnic groups, such as the Malayo-Polynesian, which includes the Gia Rai and Ede. In the cultures of some ethnic groups, the woman chooses her husband. Elsewhere, children take the name of the wife's family, and men in the Lo Lo group take the wife's family name.

## Health and health care

There are very significant health disparities among women in Viet Nam according to ethnic group as revealed by a number of indicators. Ethnic minority women utilize health services less and have greater disparities in outcomes than Kinh women. Many ethnic minority women generally do not seek health care services due to the remote location of health centres, poor quality of health care, inability to pay for services or medicine and preference for traditional birth practices.<sup>248</sup>

In terms of maternal health, according to MICS 2014 data, the proportion of doctor-assisted births varies significantly among ethnic groups. The rate of ethnic minority women delivering at health facilities is about 67 per cent, compared to up to 99.1 per cent for Kinh women; and 99 per cent of Kinh women give birth aided by trained birth attendants, compared to only 68.3 per cent for ethnic minority women. The proportion of home births is much higher among ethnic minorities (30.7 per cent in comparison with the overall figure of 5.6 per cent), while in some communes and districts, over 70 per cent of pregnant women deliver at home. Nationwide, 89.1 per cent of newborns received a health check following birth at a facility or at home but the figure for ethnic minority babies is 62.9 per cent, compared to 94.5 per cent for Kinh and Hoa.

Despite significant progress in reducing maternal mortality rates nationwide, from 233 per 100,000 live births in 1990 to 60 per 100,000 in 2014, maternal mortality rates in the Central Highlands and the northern mountainous areas – where the majority of ethnic minorities live – remain much higher than that in the lowland plains. The 2014 MICS reports that maternal and child mortality in mountainous areas is more than three times higher than in lowland areas. The maternal mortality rate in these 14 provinces was about 192 as of 2010, with notable gaps between the highest maternal mortality ratio (Dien Bien, with 676 maternal deaths per 100,000 live births) and the lowest (Lang Son Province, with 28).

# Fertility rate and family planning

Over the past 20 years, Viet Nam has experienced a declining trend in the total fertility rate (TFR) for almost all ethnic groups, with a very notable decline in the TFR of the H'mong in particular, from nine children in 1999 to about five in 2009. This reduction in fertility may reflect a change in desired family size as well as expanded coverage of family planning and reproductive health programmes in the areas where many ethnic minorities live. The lowest TFR was found among the Hoa ethnic group, at 1.4 children per woman, a figure much lower

than the average national TFR of 2 children per woman. <sup>249</sup>

The proportion of ethnic minority women using any method of birth control (70.6 per cent) is slightly lower than that of Kinh and Hoa women (76.6 per cent), but it should be noted that the percentage of ethnic minority women using modern methods (61.1 per cent) is higher than for Kinh and Hoa women (56.2 per cent), who tend to favour traditional methods more than ethnic minority women.<sup>250</sup> Although birth control is widely accepted and family planning methods are easily accessible free of charge, unmarried young people's access to reproductive health knowledge and services remains limited.<sup>251</sup> Young ethnic minority couples lack practical knowledge about puberty, safe sex, family planning methods, HIV/ AIDS and sexually transmitted diseases.<sup>252</sup>

# **Literacy and education**

Relatively large differences in literacy rates exist between Kinh and Hoa (99.1 per cent) and ethnic minority (83.2 per cent) women.<sup>253</sup> There is considerable variation in literacy and education for women of different minority groups. For example, literacy among H'mong women is 22 per cent, compared to 70 per cent among ethnic Thai women and 92 per cent for Kinh women.<sup>254</sup>

Among the five ethnic groups studied in a 2011 UNFPA analysis, the Khmer group has the lowest proportion of population aged 5 years and over attending school (17.5 per cent). The rate of school attendance in 2009 was highest among the H'mong, at 27.6 per cent. However, this group also had a very high rate of individuals who never attended school (47.8 per cent). Sex-disaggregation of these data shows striking differentials. The school attendance rate of males was higher than for females of all five groups. The sex differential was especially high between males and females of the H'mong group. The rate of females who never attended school of this group was also high, at 62.2 per cent – 30 percentage points higher than the

- 249 UNFPA (2011a).
- 250 General Statistics Office and UNICEF (2015).
- 251 Population Council (2007).
- 252 CEMA and UN Women Viet Nam (2015).
- 253 General Statistics Office and UNICEF (2015).
- 254 United Nations Country Team (2004).



### rate for males.255

Overall, student attendance in school also correlates to living standards, socio-economic characteristics and level of schooling completed by the parents, and this is also true for ethnic minorities. GSO research indicates that for the Vietnamese population as a whole, children out of school are mainly those with a non-educated mother (12.3 per cent), from the poorest households (5.6 per cent) and households with an ethnic minority household head (6.6 per cent). School fees are a common reason for dropping out, sand in many cases, sons will be allowed to continue schooling while girls will drop out or be withdrawn by their parents to assist with household duties or to get married. When asked, ethnic minority girls also cite several other reasons for dropping out of school, including low family living standards and limited family expectations for them, as well as bullying by other students, harassment from teachers, low self-esteem, embarrassment about their family's economic situation poor educational environment, great distance to school in sometimes dangerous conditions and expectation of early marriage. In addition, inadequate facilities including lack of clean water and sanitation works are significant factors that pose as a deterrent to ethnic minority girls' education, especially during their menstruation.

# **Marriage practices**

The age of first marriage varies considerably among ethnic groups in Viet Nam. The mean age of first marriage is highest for the Kinh, at 26.6 years for males and 23.1 years for females. The youngest mean age of first marriage is found among the H'mong people, at 19.9 years for males and 18.8 for females. Child marriage (at age 18 or below, which is in violation of the Law on Marriage and Family) is very common in some ethnic minority areas: the Committee on Ethnic Minority Affairs (CEMA)/UNDP report cites a figure of 15 per cent for men and 36.8

- 255 UNFPA (2011a).
- 256 General Statistics Office and UNICEF (2015).
- 257 ibid.
- 258 Jones, Presler-Marshall and Tran Thi Van Anh (2014).
- 259 Ibid.
- 260 Population Council (2007); UNICEF, Ministry of Education and Training and UNESCO (2008).
- 261 UNICEF, Ministry of Education and Training & UNESCO (2008).
- 262 UNFPA (2011a).

per cent for women in the Northern mountain region, and 10 per cent for men and 31.8 per cent for women in the Central Highland region. Cases of marriage at 13 or 14 years have also been reported.<sup>263</sup> These are considered to be cases of forced marriage; kidnapping of young girls is also not unknown. GBV is also pervasive in some communities, associated with high alcohol consumption by men.<sup>264</sup>

Many marriages and births in ethnic minority regions are not legally registered, due to the prevalence of child marriage and other illegal marriages, as well as difficult travel conditions in remote and mountainous areas. In these areas as well, other traditional marriage practices persist, such as the custom among some ethnic groups of a younger brother marrying the widow of an elder brother, or a widower marrying his wife's younger sister. The rights of ethnic minority women and youth are protected through Decree No. 32/2002/ND-CP regulating the application of the Marriage and Family law to ethnic minorities (Government of Viet Nam, 2013). In April 2015, the Government passed Decision No. 498/QD-TTg approving the programme "Reduction of Early and Inter-Family Marriage in Ethnic Minorities in the Period 2015– 2025." The objectives of the programme are to prevent and reduce child marriage in ethnic minority areas and contribute to improving the lives of ethnic minorities by: raising public awareness; training ethnic affairs staff on capacity building; carrying out activities in advocacy and communication for behaviour change on child and inter-family marriage; and reducing child marriages by 2 to 3 per cent per year and inter-family marriages by 3 to 5 per cent per year over the next ten years.

# Son preference

The kinship system in most of the ethnic minority groups in Viet Nam is patrilineal. The implications for girls are profound. For example, among the H'mong, the largest and poorest families tend to be those who have the highest number of daughters in their pursuit of sons. Sons are prioritized for education and allocated fewer domestic chores because they will ultimately take care of their parents in old age and are also vital to H-mong spiritual traditions. Hence, boys are allowed more time in childhood for play than girls. Girls, by contrast, are destined to become members of their husband's family, both physically and spiritually. As a result, they not only receive a smaller share of family resources (education, leisure time and inheritance), but their lives are also more circumscribed during the crucial developmental stages of childhood and adolescence by obligations of filial piety".<sup>265</sup>

263 CEMA and UNDP Viet Nam (2010).

264 Jones, Presler-Marshall and Tran Thi Van Anh (2014).

265 ibid.



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Since the early 1990s, the movement of people within and outside the country has increased dramatically. Labour mobility has been encouraged and supported by the Government as a necessary component of economic development and a source of employment, and through remittances sent from migrants to their home communities, an important financial resource for families and for local economic development. Remittances from migrants have become a significant factor in Viet Nam's economy. They are an important source of revenue for rural households and sending communities. Gender differences have been identified in that female migrants tend to send money more often, and send a larger proportion of their earnings, even though they tend to earn less than male migrants.<sup>266</sup> On the whole, migration has created both benefits and new issues for migrants and their families, with some clear gender implications, which are discussed below for each type of migration.

# **Internal migration**

The economic development resulting from the Doi Moi process has fuelled regional disparities through regional industrial development and foreign direct investment, creating localized demand for labour in industry and the service sector. The bulk of internal migration is rural to urban. The 2014 GSO Labour Force Survey reports a total of 733,600 internal migrants of working age, of whom 59 per cent were women (GSO, 2015). However other sources report much higher internal migration figures: according to a United Nations Viet Nam report, the 2009 census reported that between 2004 and 2009, 6.6 million people migrated internally in Viet Nam, and even this is considered an underestimate. The majority of migrants are young and increasingly, female. Although a large majority of migrants are either unmarried or have left their families behind in the home community, the 2004 Viet Nam Migration Survey found that almost 38 per cent of respondents had moved with their families.<sup>267</sup>

There are significant gender differences in patterns of internal migration. Men often migrate within rural areas for farm or mine work, or to urban areas for construction or factory work. Women tend to migrate from rural areas to cities and industrial zones in response to the export-oriented development of the garment and textile sectors, and the emergence of the households where both parents work, which has also created a need for domestic helpers filled largely by female migrant workers.<sup>268</sup> Women tend to migrate at a slightly younger age than men: reports indicate that "the number of women moving to urban areas and industrial zones has begun to exceed the number of men, reflecting the high demand for female workers in the rapidly developing industrial areas".<sup>269</sup> A recent ILO report notes that, as of 2015, approximately 38 per cent of wage workers (6.9 million) have migrated internally, and the share of women working outside their home province (47.5 per cent) considerably exceeds that of men (31.5 per cent). The number of internal women migrants in wage employment is also greater than men: 3.55 million females compared with 3.37 million males.<sup>270</sup>

A portion of migration occurs under Government-led programmes, but most migrant workers are not covered by these programmes and are therefore considered "spontaneous migrants". While many migrant workers move permanently, a large proportion are short-term

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267 United Nations Viet Nam (2010).
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<sup>268</sup> ibid.

<sup>269</sup> ibid.

<sup>270</sup> ILO Country Office for Viet Nam (2015).

or seasonal migrants. Studies suggest that these latter categories are under-represented in official statistics. The lack of sex-disaggregated data poses a serious problem in terms of tracking migration trends. In addition, "the type of internal economic migrants that are most likely to have been excluded [from official statistics] are generally vulnerable and inadequately considered in government planning".<sup>271</sup>

To some extent, internal migration flows have been facilitated by legal and policy frameworks, but at the same time, migrants' rights and interests are not always adequately protected. This is particularly problematic for young women. Gender issues in internal migration include the vulnerability of female migrants to GBV, inadequate housing in remote and isolated areas, inadequate and unsafe transportation, and limited access to social services such as medical care, family planning services, and education. Another issue that has attracted attention is the number of female migrants who end up as sex workers, either voluntarily or because they have been coerced or trafficked.<sup>272</sup>

# Female internal migrants and social protection

Internal migration for work is a growing phenomenon in Viet Nam. Both males and females face significant challenges in accessing social protection provisions, but female migrants and their children are particularly disadvantaged in a number of respects. Non-permanent and unregistered migrants, including sex workers, typically lack access to social services and social protection. They are also concentrated in vulnerable employment with low wages and often no formal labour contract (and especially in the case of women) and therefore typically lack access to labour protection. Housing provision is notoriously deficient for these migrant workers in industrial zones, forcing them to seek hostels and private accommodations in remote locations with inadequate services, cramped and unsafe conditions, particularly for women and their children. Because many social protection services are tied to the migrants' household registration, female migrants encounter numerous difficulties in accessing services such as reproductive health care, family planning services, public schooling for their children, preferential credit channels and employment creation projects.<sup>273</sup>

<sup>271</sup> United Nations Viet Nam (2010).

<sup>272</sup> ibid.

<sup>273</sup> UN Women (2015b).

# **International migration**

Over the last decade, international labour migration of female and male workers from Viet Nam has been strongly promoted by the Government. International migration is governed principally by the 2006 Law on Sending Vietnamese Contract-Based Workers Abroad, and supported by development policies such as the 2009 Prime Minister's Decision on the facilitation of migration from poor and ethnic minority districts.

By the end of 2012, the number of international migrant workers from Viet Nam exceeded 560,000.<sup>274</sup> There are Vietnamese workers in over 40 countries and territories. The major destinations are China (Province of Taiwan), the Republic of Korea, Malaysia and Japan, The Government's strategy is to send around 100,000 workers per year. In the past few years, the number of registered labour migrants deployed annually has ranged from 70,594 in 2005 to 88,000 in 2011.<sup>275</sup>

Although there are more male than female migrants, there has been a rapid increase in both the number and proportion of female migrant workers. Thirty per cent of contract-based workers who left Viet Nam between 2007 and 2010 were women, compared to only 10-15 per cent in the early 1990s.<sup>276</sup> In 2011, 36 per cent of workers going overseas were women. This pattern is similar to that found for other Southeast Asian countries, although female migration from Viet Nam is still much lower than that of the Philippines or Indonesia.

Among the six largest markets for Vietnamese women migrant workers – Taiwan Province of China, Malaysia, the Republic of Korea, Macau, SAR, Japan and Cyprus (excluding Lao PDR and Cambodia where occupation data are missing) – women are mostly migrating into factory work (assembly line, textiles or garment manufacture and electronics manufacture) (70 per cent), followed by domestic work (24 per cent), farming (1.2 per cent) and other unspecified occupations (1 per cent).<sup>277</sup>

The increase in female migration is due in part to an increasing demand in Southeast Asia for women workers in the manufacturing, health care, service and entertainment sectors. Taiwan

- 274 ILO, IOM and UN Women (2014).
- 275 Bowen and Do Van Huong (2012)
- 276 ILO, IOM and UN Women (2014).
- 277 Bowen and Do Van Huong (2012).

Province of China is the most important destination for female migrants, who find work as factory workers, care workers looking after the elderly or the sick in nursing homes and private households, and as domestic workers.<sup>278</sup> Experts predict that the demand for Vietnamese women workers is likely to increase, since they are considered hard- working and reliable. On the supply side, women's increasing willingness to work abroad is also an important factor, as are Vietnamese cultural traditions regarding women's responsibilities as income earners and family caretakers. As noted above, they are seen as more reliable remittance senders compared with their male counterparts.<sup>279</sup>

Vietnamese migrant workers, especially female migrant workers, face manifold challenges from pre-departure, in destination countries to post-migration when they return home. Before their departure, migrant workers are entitled to the pre-departure orientation training provided by Vietnamese recruiting agencies.<sup>280</sup> However, information and advice relevant to the specific needs of women and men are generally not integrated in pre-departure orientation. As a consequence, even those who migrate through regular contract channels are still poorly prepared to deal with the potential challenges in destination countries.<sup>281</sup> Female migrant workers might also face verbal and physical abuse during such training.<sup>282</sup>

Female migrant workers, especially live-in domestic workers and those who undertake informal and undocumented work, encounter violations of their rights. Common problems include the violation of working conditions and social insurance, restrictions on women's movements, lack of privacy, limited contact with other migrants and their families, and extremely long working hours. Even when migrating through recruiting agencies, some women experience sexual harassment and abuse in private domestic households.<sup>283</sup>

Women returning from working overseas do not generally experience a significant improvement in employment opportunities upon their return. Returnee women called for more assistance from local authorities to help find stable, well paid jobs on their return. As a result of limited comparable opportunities at home, the interest in repeat migration is high,

<sup>278</sup> ibid.

<sup>279</sup> ibid.

<sup>280</sup> Viet Nam National Assembly. 2006. Law on Vietnamese workers working overseas under contract.

<sup>281</sup> Bowen and Do Van Huong (2012).

<sup>282</sup> Belanger and Giang Linh (2013).

<sup>283</sup> Bowen and Do Van Huong (2012).

with some women migrating two or three times in their working life.<sup>284</sup>

After their return, women are more likely to encounter rumours about the "immoral behaviour" or infidelity of their spouse during their absence. Double standards of moral behaviour and judgment still prevail in Viet Nam, and women tend to be tolerant of their husbands' infidelity or misuse of remittances. Women may also be blamed if their children have been neglected during their absence.<sup>285</sup>

The United Nations has been advocating for increased attention to be paid to the re-integration of returning migrant workers, and in particular to the distinct needs of men and women. These include the needs of returning women migrants (who are over-represented in low-skilled jobs) to develop higher-level skills that will help them find better jobs in the formal sector, and the need to address negative community attitudes towards women migrants returning home. While migration undoubtedly creates strains for both the migrant and families left behind, there is also growing evidence of positive impacts. Some studies suggest that family relations can even improve after the migrant's return, and there is also evidence of benefits in terms of women's empowerment and decision-making power within the family.<sup>287</sup>

There are a number of technical cooperation programmes that partner Vietnamese government organizations and international organizations to work on international labour migration and rights protection, some of which target women migrants and gender issues. International partners include ILO, International Organization for Migration (IOM), UN Women, United Nations Inter-Agency Project on Human Trafficking (UNIAP) and various international NGOs.

284 ibid.

285 ibid.

286 ILO, IOM and UN Women (2014).

287 Bowen, Ruth and Do Van Huong (2012).

# Trafficking and in women and girls

Many Vietnamese people migrate in search of opportunities for employment and a chance to improve their personal and family income. However, the desire to migrate, which is often fuelled by growing economic disparities in Viet Nam, leaves many Vietnamese people vulnerable to human trafficking.<sup>288</sup>

A definition of trafficking is provided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime:

Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or if the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of prostitution of others of other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, or the removal of organs.<sup>289</sup>

Many Vietnamese men, women and children (including newborn babies) are trafficked across borders and internally for labour, sexual exploitation and marriage (for women), and adoption (for children). The majority of the survivors of human trafficking are women and children, many of whom are trafficked for sexual exploitation. Accurate estimates of the scale of trafficking in Viet Nam are difficult to obtain, and few come to the attention of authorities. Viet Nam's 2013 report to CEDAW Committee lists 7,035 survivors trafficked abroad, and 22,000 missing women and children suspected of being trafficked.<sup>290</sup> However, the report does not cite sources of information or time periods for these figures. It also cites figures from DOLISA of provinces and cities regarding returnees, noting that "as of 5 October 2010, there were 3,190 cases of children and women trafficked abroad coming back, of whom 60 per cent returned by themselves, 25 per cent were rescued, 15 per cent were officially admitted". Some more detail was provided in the 2014 update to the State report to the CEDAW Committee; in 2014 alone, 410 trafficking cases were reported, with 576 offenders and 903 victims. The

<sup>288</sup> International Organization for Migration, www.iom.int/countries/viet-nam

<sup>289</sup> General Assembly resolution 55/25, Article 3 (a).

<sup>290</sup> Government of Viet Nam (2013).

same year, 668 trafficked survivors were assisted in returning to Viet Nam, most of whom were returned through bilateral arrangements. Over 90 per cent of returnees reportedly received state support, which included financial support, vocational training, employment, loans, medical care, psychological counselling and legal assistance. In addition, survivors have access to support services from non-governmental and international organizations.<sup>291</sup>

In addition to other causes, trafficking of women and children is an indirect result of son preference in Viet Nam and other countries in the region: the shortage of women increases the likelihood of women being trafficked as wives or sex workers, and male children are trafficked for adoption by families lacking a son.<sup>292</sup> Many Vietnamese women are trafficked into fraudulent marriages that often lead to sexual exploitation, forced labour or forced prostitution. These women, as well as men and women who migrate legally for work to Malaysia, Taiwan Province of China, China, Thailand and the Middle East, face the threat of debt bondage, confiscation of identity and travel documents, and threats of deportation, which are commonly utilized to intimidate victims.<sup>293</sup>

Although the information on trafficking primarily refers to women and girls, who are the majority of trafficked people, information on trafficking of boys has recently been made available through *Exploratory Research – Trafficking in Boys in Viet Nam*, a study under the framework of the United Nations-Government of Viet Nam Joint Programme on Gender Equality.<sup>294</sup>

Viet Nam is also a destination country for children who are trafficked from Cambodia for sexual and labour exploitation. Child sex tourism is also an issue in Viet Nam, with perpetrators reportedly coming from Japan, Republic of Korea, China, Taiwan, the United Kingdom, Australia, Europe and the United States.<sup>295</sup>

Vietnamese women and girls are more vulnerable to trafficking than men because of unequal gender relations, the demand for virgins and children in sex work due to fear of HIV/AIDS, and an increase in demand for, and supply of, Vietnamese wives due to both demographic

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291 Nong Thi Thuy Ha, Gan and Kao (2011).
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<sup>295</sup> humantrafficking.org: Vietnam: www.humantrafficking.org/countries/vietnam



<sup>292</sup> Cavanaugh (2012).

<sup>293</sup> U.S. Department of State (2016).

<sup>294</sup> IOM and GSO (2012).

and economic factors.<sup>296</sup> Women and children who are forced into labour or the sex industry are often exposed to physical, psychological and sexual violence. They are at higher risk of contracting sexually transmitted diseases (STDs) and experiencing physical and mental health issues. Increasingly sophisticated methods are being used, including the use of online media to recruit victims.<sup>297</sup>

The legal and policy framework to address trafficking includes the National Plan of Action to Combat Trafficking in Women and Children (2004-2010) and its subsequent revision (2011-2015), which was expanded in scope to include men, boys, and internally trafficked people. The National Plan of Action to Combat Human Trafficking (2011-2015) sets specific goals and measures to improve awareness and to implement Law on Prevention and Suppression of Human Trafficking (2012). Some of these goals are to: enhance awareness of laws against human trafficking; improve practices to combat trafficking through educational activities; improve the effectiveness of the investigation and prosecution of trafficking cases; improve the systematization of legal documents and the implementation of laws; and improve international cooperation. To continue its efforts in combatting human trafficking, the Government approved the Programme on prevention and control of human trafficking during 2016-2020), with the overall goals of reducing human trafficking risk and crime, and effectively receiving, protecting and providing aid to human trafficking victims. To implement its specific targets, the programme proposes five component projects on anti-human trafficking communications: prevention and combat of human trafficking crimes; receipt, verification, protection and provision of aid to human trafficking victims; improvement of the legal system; monitoring the enforcement of anti-human trafficking policies and laws; and international cooperation in human trafficking prevention and combat.<sup>298</sup>

The Penal Code was amended in 2010, and the Law on the Prevention and Suppression of Human Trafficking was approved in March 2011, recognizing the trafficking of men and boys, not just women and children, and establishing guidelines for the receipt, reintegration and support of trafficked persons and detailed agencies responsible for implementation. The 2015 revision of the Penal Code has gone even further by incorporating the prohibited acts specified in the Law on Human Trafficking. It is significant that the revised Penal Code ensures that the prohibited acts cover the essential elements contained in the United

<sup>296</sup> ibid.

<sup>297</sup> U.S. Department of State (2016).

<sup>298</sup> Viet Nam Law Magazine (n.d.)

Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Decree 62, which was issued in 2012 by the MPS to address the identification of trafficking victims; previously, the authorities required the identification or arrest of the trafficker before a person could be classified as a victim of trafficking and receive support. Although this decree dispenses with the need to identify the trafficker, it has been criticized as too narrow and lacking a detailed list of indicators that can be used by authorities to determine the veracity of a potential victim.<sup>299</sup> In addition, Viet Nam participates in a number of international protocols and conventions against trafficking, and has bilateral agreements with Lao PDR, Cambodia, Thailand and China.

However, it is widely recognized that the services available for protection, support and reintegration of trafficked persons are not adequate. According to the 2013 CEDAW State report, "The situation of human trafficking is getting complicated, serious and is likely to increase while the legal system on the prevention of women and children trafficking has revealed some shortcomings..."<sup>300</sup> It is thus recommended that the Government:

fully enact and implement Articles 150 and 151 of the new Penal Code, which amend Articles 119-120 of the current Penal Code, to vigorously prosecute all forms of trafficking and convict and punish traffickers, especially in cases involving forced labour or complicit officials; continue to strengthen and actively monitor labour recruitment companies and enforce regulations prohibiting the imposition of recruitment fees; fully implement plans to train officials on implementation of the amendments to the Penal Code, with a focus on identifying and investigating forced labour and internal trafficking cases; cease the practice of subjecting Vietnamese drug users to forced labour in Government-run rehabilitation centres; implement policies to identify and assist survivors among vulnerable groups, such as migrant workers, individuals in prostitution, and child labourers, and train relevant officials on these procedures; expand training for consular officials on worker rights and international labour standards; support efforts of international organizations or other stakeholders to research and report on trafficking trends in Viet Nam, including the public release of findings; finalize the database on trafficking statistics and disseminate information at the national level; improve interagency cooperation on anti-trafficking efforts in order to effectively implement the national plan of action and ensure sufficient resources are

299 ibid.

300 Government of Viet Nam (2013).

dedicated to the plan; develop programs that reduce stigma and promote reintegration of trafficking returnees; implement anti-trafficking campaigns directed at reducing child sex tourism; and ratify and fully implement the Association of Southeast Asian Nations (ASEAN) Convention Against Trafficking in Persons, Especially Women and Children (ACTIP).<sup>301</sup>

<sup>301</sup> U.S. Department of State (2016).



Photo©: UN Women/Hoang Hiep

Viet Nam is particularly vulnerable to the adverse effects of climate change and natural disasters. The country has been identified as one of the five coastal developing countries most seriously affected by climate change.<sup>302</sup> From 1958 to 2007, annual average temperatures increased by about 0.7 degrees Celsius. The first decade of the 21st century was the warmest ever recorded in the country, setting new record-high temperatures.<sup>303</sup> Climate change can lead to higher frequency, intensity, duration and erratic timing of weather conditions leading to floods, droughts, typhoons and other extreme weather conditions. An average of one million people are already affected by disasters annually, including flooding in the country's Mekong Delta region and coastal areas, and serious droughts in the central coast region, Mekong Delta and mountainous areas.<sup>304</sup> Viet Nam is also located in proximity to regions of high cyclonic activity. In addition, the northern mountains are particularly susceptible to drought and cold waves.<sup>305</sup>

<sup>302</sup> Socialist Republic of Viet Nam (2015).

<sup>303</sup> UN Viet Nam and Oxfam (2012).

<sup>304</sup> UN Women (2011).

<sup>305</sup> UN Viet Nam and Oxfam (2012).

Climate change is commonly associated with sea level rise as well as erratic weather patterns, all of which affect many social-economic sectors including land use, livelihoods, food security, water quality and availability, and human health. The cumulative effects of disasters can substantially affect livelihood options and resources which has become one of the reasons for out-migration from certain sites.<sup>306</sup> With 70 per cent of the population living in low-lying areas either in river deltas or along the long coastline, even a slight rise in sea level will affect significant numbers of people.

Although conclusive data is not available in Viet Nam, global research demonstrates that women and children are 14 times more likely to die or be injured in a natural disaster than men, and that where gender inequalities are highest, women are more likely than men to experience the negative effects of environmental hazards.<sup>307</sup> In recent disasters in Southeast Asia, the majority of deaths were women. Research has also shown that women and girls also are more likely to be exposed to GBV and trauma in the wake of natural disasters.<sup>308</sup>

As stated in the Oxfam-United Nations Viet Nam Policy Brief on gender equality, climate change adaptation and disaster risk management, "climate change and its impacts are not gender-neutral and nor are its policies and actions". Women and girls in particular, because of widespread gender inequality and discrimination, are on the whole likely to be more affected by the negative impacts of climate change and disasters than men. They also face greater barriers in influencing, participating in and benefitting from disaster risk reduction and recovery, and climate change mitigation and adaptation efforts.<sup>309</sup> The variability of climate change impacts can also undermine the effectiveness of traditional historical knowledge on climate and crop patterns, eroding a key knowledge asset of rural populations, including women.

With growing awareness of the impacts of climate change and disaster risk management, there has been an evolution in the perception of women's and men's roles and vulnerabilities, and the importance of mainstreaming gender equality into all climate change and disaster risk management actions. This has most recently been reaffirmed in the Sendai Framework for Disaster Risk Reduction adopted at the Third UN World Conference on Disaster Risk Reduction.

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306 IMHEN and UNDP (2015).
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<sup>307</sup> UN Women (n.d.),

<sup>308</sup> ibid.

<sup>309</sup> UN Women (2011).

However, in Viet Nam as in other countries, policy and programmes to address climate change and disaster risk tend to be gender-neutral. In Viet Nam, the Government and United Nations/international partners have taken significant steps toward analysing and integrating the gender dimensions of climate change and natural resource management into policy and programmatic approaches.

# Gendered dimensions of climate change and disaster risk management

The gender-differentiated aspects of climate change (including gender-differentiated impacts, levels of resilience, and gender-specific capacities for involvement in adaptation and mitigation) are influenced by disparities in women's and men's economic and social roles, access to and control over resources and information, and power in decision-making in the economy, the community and within households and families.

More specifically, in Viet Nam, women's vulnerability to climate change is increased by their greater concentration in the agricultural sector, particularly in rural areas, in subsistence production and small farms, and in the informal sector. In addition, their greater caring responsibilities (for children, spouses, other relatives, and others in the community) influence the decisions they make in response to disasters, which become more difficult when resources are scarce. As documented in the preceding chapters of this Briefing Kit, Vietnamese women's more limited access to resources (e.g. secure land tenure), credit, markets and extension services also disadvantages them and limits their coping strategies. The strategies adopted by women and men in response to disasters are also different. For example, migration of males is a common strategy to cope with economic stresses associated with disaster risk, but it can also create added challenges for family members – usually women and children – who are left behind. Finally, women in Viet Nam, especially poor women and ethnic minority women, tend to have less decision-making power than men, whether in their households, family businesses, or in the community, which impedes their ability to respond to crises. According to the literature, female-headed households tend to be among the least resilient.<sup>310</sup>

Green jobs and the promotion of a green economy are a crucial part of climate change mitigation and adaptation, and key to achieving economic and social development in an environmentally sustainable manner. Rural women are significantly involved in crucial green economy sectors such as agriculture and energy, and can potentially benefit by turning their reliance on natural resources into opportunities for green and decent jobs. For instance, rural

women can participate in a wide array of newly emerging employment opportunities, from running small, resource-based businesses and the environmental maintenance of nurseries and forests to engaging in water and land management, rural ecotourism, or bio-fuel production based on small-scale, low-input agriculture. However, a greener economy will not necessarily translate into equal access to productive jobs and decent work for women. Women's ability to engage in green jobs may be limited by their comparatively more restricted access to training, skills development and modern technologies.<sup>311</sup>

Risk transfer and risk sharing mechanisms such as insurance or risk pooling as a tool to increase resilience to climate-related shocks are under-developed, and Viet Nam has not yet begun to factor in potential long-term damage and losses likely to incurred by long-term climate related factors such as sea-level rise and coastal salt water intrusion. These climate factors gradually erode the fertility of the land and will likely have a significant impact particularly on coastal farm workers, most of whom are women.<sup>312</sup>

In planning for climate change adaptation and disaster risk reduction, these gender-differentiated aspects need to be taken into account at every level in order to ensure that women's and men's needs are addressed and they play a full role in climate change responses.

# Women's participation in climate change adaptation and disaster risk reduction in Viet Nam

The Vietnamese Government is paying increasing attention not only to women's greater vulnerabilities, but also to their crucial role in adaptation and risk reduction. One significant positive development is that the Law on Natural Disaster Prevention and Control (2013) embraced the principle of gender equality and established the Viet Nam Women's Union (VWU) as a member of the Central Committee for Natural Disaster Prevention and Control (CNDPC) and corresponding provincial, district and commune-level committees. CNDPC is responsible for risk assessment, planning and implementation of disaster risk management actions at local levels, and VWU's presence in it is expected bring a gender perspective into the work of the Committee. This is in large part due to the combined effort of the Ministry of Agriculture and Rural Development (MARD), UNDP and UN Women, and Oxfam to increase the role of local women in disaster risk reduction and management activities through policy

<sup>311</sup> FAO, IFAD and World Bank (2015).

<sup>312</sup> World Bank/GFDRR (2011).

change on composition of the CNDPC and improvement of women's knowledge and skills to effectively participate in disaster risk reduction and management activities.<sup>313</sup> In addition, Viet Nam's Community-based Disaster Risk Management (CBDRM) model directs communities to maintain a minimum number of female representatives on committees. However, there are still challenges in involving women as active members and ensuring gender issues are reflected in planning for disasters.<sup>314</sup>

# Gender mainstreaming in policies/programmes

Policies, programmes and activities related to climate change adaptation and disaster risk reduction benefit in a number of ways from adopting an approach that integrates gender equality and promotes the participation of women. According to an Oxfam-United Nations Viet Nam policy brief, there are five reasons for doing so:

- To capitalize on the talents, capacities and contributions of both women and men, so that policies will be more inclusive, successful, efficient and effective.
- To avoid potential, unintended effects of climate change adaptation (CCA)/DRR policies and actions that may increase gender inequalities and poverty.
- To be mutually beneficial: CCA and DRR programmes and actions can empower women and improve living conditions and livelihoods of women, their families and whole communities; gender equality programmes and actions can contribute to DRR, CCA and climate change mitigation.
- To ensure more policy coherence with existing social/gender policies and gender and human rights commitments, thereby contributing to gender equality and the achievement of the global development goals and related sustainable human development objectives.
- To create synergies between targeted and innovative rural employment programs, gender-sensitive responses to climate change, and green growth strategies has the potential to lift rural women out of poverty and contribute to the development of sustainable, climate-smart rural landscapes.

The last decade has seen the passing of a series of key laws and policy documents in Viet

<sup>313</sup> UN Women (2011).

<sup>314</sup> UN Viet Nam (2015).

Nam related to climate change and disaster risk management. They have progressively incorporated more specific directives regarding the mainstreaming of gender concerns and requirements for the full participation of women and women's organizations.

The National Target Programme to Respond to Climate Change (2008) includes gender equality as a guiding principle. It stresses the need for the Ministry of Natural Resources and Environment, and the Vietnam Women's Union to be responsible for conducting vulnerability assessments at the sectoral, regional and community levels, and raising awareness on the role of women and gender issues through activities to respond to climate change.<sup>315</sup> Taking a step further, the National Strategy on Climate Change (December 2011) has gender equality as one of its specific objectives.

The two National Target Programmes on Sustainable Poverty Reduction and on New Rural Development (2016-2020) were recently approved under Decision 1722/QĐ-TTg. Gender equality is required as an approach to be mainstreamed into the annual and five-year implementation plan of the Target Programmes. The Target Programmes also indicate a number of areas where climate change and disaster risk reduction should be an integral requirement of its objectives, roles and responsibilities of stakeholders.

The Government also recently approved Solution Number 73/NQ-CP (August 2016), which includes the Target Programme on Climate Change and Green Growth. One of the objectives of the Target Programme is to create sustainable livelihood options. Viet Nam has also submitted its Intended Nationally Determined Contributions (INDCs) in September 2016, which mainstreamed gender into the adaptation component of the INDCs.

In terms of disaster risk reduction, the National Strategy for Natural Disaster Prevention, Response and Mitigation to 2020 (2007) notes that natural disasters cause negative impacts on vulnerable groups such as the elderly, people with disabilities, women and children, although it lacks details on how gender is to be integrated.

The Law on Natural Disaster Prevention and Control (2013) states explicitly that "Humanity, fairness, transparency and gender equity must be guaranteed in natural disaster prevention and control" and charges MOLISA with the responsibility to "guide the integration of gender issues in natural disaster prevention and control". One key element of this success was the participation of relevant National Assembly members in training workshops, who subsequently helped to introduce significant changes to the draft disaster risk management

<sup>315</sup> Socialist Republic of Viet Nam. 2008. Decision on the Approval of the National Target Programme to Respond to Climate Change.

(DRM) legislation, which had reflected gaps in gender analysis and addressed gender concerns more concretely. <sup>316</sup>

Finally, the implementation guidelines of the National Programme on Community Based Disaster Risk Management (CBDRM) state that: "Gender equality, gender mainstreaming and promoting women's participation/women's empowerment in the activities of disaster risk management and adaptation to climate change will bring greater efficiency to the community." To achieve this, the Programme proposes that training materials should integrate gender issues into CBDRM; training methods should encourage women's participation; and the proportion of women's participation in training courses should be at least 30 per cent.<sup>317</sup>

Nevertheless, implementation of any guidelines or policies on the integration of gender in climate change programming or disaster risk management has been inconsistent. According to the very recent monitoring report on Viet Nam's implementation of the Hyogo Framework for Action (2013-2015), no specific rules or guidelines have been put into place regarding mainstreaming gender issues and how to ensure the programmes are gender- responsive. The report notes that there is no systematic database to track vulnerability in a comprehensive manner, and only a few small evaluations focusing on particularly vulnerable groups such as women, children and the disabled have been undertaken. Sex-disaggregated statistics are mandated to be collected by law and are included in major indicator sets. However, continued challenges in data collection, access and sharing mean that actual data is hard to access or not widely publicized. The report also notes that there is little mention of gender issues and the needs of vulnerable women in response, evacuation, relocation, rehabilitation and in most other aspects of DRM. Applying the approach and tools to integrate gender issues in all areas, consistent with the context of Viet Nam continues to be a critical need". 318

<sup>316</sup> UNISDR (2015).

<sup>317</sup> UN Viet Nam & Oxfam (2012).

<sup>318</sup> PreventionWeb. 2015. Viet Nam National Progress Report on the Implementation of the Hyogo Framework for Action (2013-2015).

VIET NAM
GENDER BRIEFING KIT
2016



# **ANNEXES AND REFERENCES**

**ANNEX 1.** CHRONOLOGY OF EVENTS RELATING
TO GENDER EQUALITY AND WOMEN'S RIGHTS IN VIET NAM

ANNEX 2. UN CONTRIBUTIONS TO GENDER EQUALITY IN VIET NAM

# ANNEX 1. CHRONOLOGY OF EVENTS RELATING TO GENDER EQUALITY AND WOMEN'S RIGHTS IN VIFT NAM

43 CE Trung sisters lead the first national uprising against the Chinese occupation of Vietnam. 248 Lady Trieu leads a rebellion ousting the Chinese. 1483 The Le Dynasty's Hong Duc Code gives women equal inheritance rights, the right to divorce and protection from violence. 1930 Formation of Viet Nam Women's Union. 1941 Founding of the Women's Association for National Salvation. 1946 Article 9 of the First Constitution states: "All power in the country belongs to the Vietnamese people, irrespective of race, sex, fortune, class, religion..." and that "women are equal to men in all respects". 1950 Women's Association for National Salvation merges with the Viet Nam Women's Union and holds the first National Women's Congress. 1959 Article 24 of the Constitution states: "Women enjoy equality with men in all spheres of activities including political, economic, cultural, at home and in society. ... There should be equal pay for equal work... The state quarantees women employees fully paid maternity leave both before and after the birth." 1960 The first Marriage and Family Law emphasizes free choice of marriage partners, monogamy, equality between husband and wife and the protection of women's and children's interests. Formation of Union of Women for the Liberation of South Vietnam. 1965 Women's Union launches the "Three Responsibilities" campaign: to take care of the family, take care of production, and contribute to the war effort. 1980 The Government of Viet Nam signs the UN Convention on the Elimination of All



Forms of Discrimination Against Women (CEDAW).

Article 63 of the Constitution states: "The state and society ensure the development of maternity clinics, crèches, kindergartens, canteens and other social facilities to create favourable conditions for women to work, rest and study."

1982 Ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Ratification of International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

- 1984 Penal Code Article 138: "Every form of violation of women's rights is to be punished."
- The new Marriage and Family Law prohibits early marriages (under 18 years for women and under 20 for men) and gives spouses equal rights regarding property and inheritance.
- Population and Family Planning Policy encourages each couple to have no more than 2 children, suggests the age of mother and father at the birth of the first child to be 22 and 24 in urban areas and 19 and 21 in rural areas, and states that spacing between children should be three to five years.

Decision 163 of the Council of Ministers: "Authorities of every level should facilitate women's unions at the same level to be involved and to be heard on the process of policy formulation, law drafting and planning concerning women and children."

- The Government of Viet Nam ratifies the United Nations Convention on the Rights of the Child (CRC).
- 1992 Article 63 of the new Constitution states: "Male and female citizens have equal rights in all respects, including political, economic, cultural, social and the family. All acts of discrimination against women and all acts damaging women's dignity are strictly banned.

Men and women shall receive equal pay for equal work. Women workers shall enjoy a regime related to maternity. Women who are state employees and wage-earners shall enjoy paid prenatal and post-natal leave during which they shall receive all their wages and allowances as determined by law."

- Resolution 4 of the Political Bureau of the Communist Party puts forth the goals of "improving women's material and spiritual life," and "enhancing women's social status and the realization of their right to equality".
- Directive 37 of the Party Central Committee states that the Government and Party should aim to have at least 20% of positions filled by women. All branches of state apparatus are required to improve gender awareness, formulate policies to develop women's skills, develop plans for (re) training women cadres and to increase the number of female employees.

Viet Nam participates in the International Conference on Population and Development (ICPD) in Cairo, Egypt, and makes a strong commitment to the Programme of Action of ICPD.

- 1995 Viet Nam participates in the UN Fourth World Conference on Women in Beijing; the Government signs the International Platform for Action and Beijing Declaration.
- 1996 Chapter 10 of the Ordinance on Labour Protection outlines separate provisions for women. Article 113 bans women from work considered heavy or dangerous.
- The Prime Minister signs the National Plan of Action for the Advancement of Vietnamese Women by the Year 2000.

Eighth National Congress of Vietnamese Women held to set objectives, orientations, and tasks of the women's movement for 1997 to 2002.

Viet Nam ratifies ILO Conventions 100 (Equal Remuneration) and 111 (Discrimination, Employment and Occupation)

1999 Viet Nam submits its Second Report on CEDAW with the UN.

The Prime Minister announces the decision for ministries, branches and People's Committees to integrate gender into planning for the Ten-Year Socio-economic

Development Strategy 2001 to 2010.

Viet Nam participates in the UN Beijing +5 Special Session to review implementation of the international Platform for Action.

Viet Nam commits to achieving Education for All Goals, of which Goal 5 specifies: Eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality

Revision of the Law on Marriage and Family, including additional provisions regarding ownership and inheritance in case of divorce and death. Article 27 specifies that everything acquired before marriage is subject to agreement while everything acquired aftermarriage is considered as a common asset. Land use rights acquired aftermarriage therefore require both names on the registration certificate.

Publication of the situation analysis of women and gender relations in Viet Nam by NCFAW and national researchers with recommendations from multilateral and bilateral donors.

The Government of Viet Nam ratifies the 2000 Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

National Program of Action on Childhood 2001 to 2010.

Ninth National Congress of Vietnamese Women held to set objectives, orientations, and tasks of the women's movement for 2002 to 2007.

National Strategy for the Advancement of Women in Viet Nam by endorsed by the Prime Minister.

The Government passes a decree urging its agencies to cooperate with the Viet Nam Women's Union at all levels in activities of state management.

Population Ordinance passed with provisions prohibiting early marriage, sex-selective abortion and other acts leading to gender imbalance.

Land Law amended to require the names of both husband and wife on land-use certificates.

The Prime Minister issues Directive on strengthening activities for the advancement of women in Government organizations.

Gender mainstreaming guidelines launched for all Government ministries by NCFAW-UNDP-Netherlands Project "Gender in Public Policy".

With support from UNIFEM, the Women's Union conducts an assessment on gender equality in 11 provinces and selected cities in preparation for drafting the Law on Gender Equality.

Submission of the Combined Fifth and Sixth Reports on CEDAW Implementation to the United Nations.

Viet Nam attends the UN Special Session on Women (Beijing+10) to review 10 years of implementation of the Beijing Platform for Action.

2006 Law on Gender Equality passed as initiated and proposed by the Viet Nam Women's Union.

First NGO shadow report on CEDAW implementation in Viet Nam submitted to the United Nations CEDAW Committee.

2007 High-level dialogue held between the Government of Viet Nam and the UN on the Implementation of CEDAW with comprehensive concluding comments issued by the CEDAW Committee.

Ministry of Labour, Invalids and Social Affairs (MOLISA) identified as the state management agency for gender equality.

Political Bureau of the Communist Party adopts Resolution on the Work for Women in the Period of Accelerating Industrialization and Modernization

Tenth National Congress of Viet Nam Women's Union held to set objectives, orientations and tasks for 2007 to 2012.

Law on Preventing and Combating Domestic Violence passed with the Ministry of

Culture, Sport and Tourism (MOCST) identified as the state management agency.

2008 Global Summit on Women held in Hanoi.

NCFAW reorganized in association with MOLISA.

A Female Parliamentarians Group established for the first time in the National Assembly of Vietnam.

Law on the Promulgation of Legal Documents amended to include a requirement for all laws to reflect gender concerns.

Publication of updated Gender Mainstreaming Guidelines in National Policy Formulation by NCFAW.

UN-GoV Joint Programme on Gender Equality 2009 – 2011 (36 months) signed by the Government and the UN. 12 UN agencies and Programmes: FAO, ILO, IOM, UNAIDS, UNDP, UNESCO, UNFPA, UNICEF, UNIDO, UNIFEM, UNODC, and WHO, in partnership with the Government of Vietnam, build the capacity of national and provincial duty bearers so that they can better implement, monitor, evaluate and report on the Law on Gender Equality and the Law on Domestic Violence Prevention and Control from 2009-2011.

2011 National Strategy for Gender Equality (2011-2020)

National Programme on Gender Equality (2011-2015)

The Law on Human Trafficking explicitly prohibits forced labour and sexual exploitation, in 2011

National Action Plan on the prevention of and combat against human trafficking (2011-2015)

Amendment to the Labour Code prohibits sexual harassment at work.

Convention against Transnational Organized Crime ratified

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against

Transnational Organized Crime (Palermo Protocol) ratified

- 2013 Amended Constitution recognizes gender equality and prohibit gender-based discrimination
- The Land Law provides for the issuance of land use certificates in the name of both spouses
- The amendment to the Law on Vietnamese Nationality, facilitates the acquisition of Vietnamese nationality by refugee and stateless women and prevents statelessness
- 2015 Approval of National Action Programme for Gender Equality 2016-2020.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) ratified

Convention on the Rights of Persons with Disabilities (CRPD) ratified

Approval of Nation Action Programme for Gender Equality 2016-2020

The government of Vietnam participate the UN special session on 20 year review of the BPFA in New York

High-level dialogue held between the Government of Viet Nam and the UN on the Implementation of CEDAW with comprehensive concluding comments issued by the CEDAW Committee in Geneva

# ANNEX 2. UN CONTRIBUTIONS TO GENDER EQUALITY IN VIET NAM

A selected list of the UN programmes and their outcomes over the last several years (as detailed in Delivering as One Annual Results Reports for 2012, 2013, and 2014 and other programme-level reports) is presented below.

# Legislation:

- Capacity building and technical inputs and other types of support were provided to MOJ and MOLISA to integrate gender equality in draft legislation.
- Gender integration in legislation was enhanced through capacity building of the Parliamentary Committee of Social Affairs to review laws in a gender-responsive manner.
- Gender gaps were identified and recommendations made to strengthen a number of significant pieces of draft legislation, including the Labour Code, Social Insurance Law, etc.
- In the context of revision to the Law on Marriage and Family, the UN helped train 182 legal practitioners from the Ministry of Justice and provincial-level justice departments, 179 National Assembly deputies, Provincial People's Council, Women's Union and line ministry representatives.
- Viet Nam was supported to amend the Labour Code to prohibit sexual harassment at the workplace and recognize domestic work as employment.
- The drafting process for Resolution 15 on Social Protection was supported to consolidate social assistance schemes and incorporate provisions for gender equality and multidimensional child poverty policies; options for the integration of gender dimensions into social protection policies were discussed with key stakeholders.

# The legal and justice systems:

• In order to improve women's access to justice, the National Legal Aid Agency has been supported to mainstream gender in legal aid and the national legal aid strategy.

The national judicial training institution was supported to integrate gender equality,
 CEDAW and human rights in its curriculum, teaching materials and case book on addressing violence against women and girls.

Implementation and monitoring of Gender Equality Law and National Strategy for Gender Equality:

- In 2012 the UN supported a conference with 140 senior Government managers and representatives of the Women's Union, academic institutions and local NGOs to review progress and constraints in the implementation of the 2007 Gender Equality Law.
- Subsequently, the UN worked with Government to develop a road map to strengthen staff capacity, build coordination mechanisms and promote men's engagement in gender equality initiatives.
- MOLISA was supported in its implementation of the National Strategy on Gender Equality through development of comprehensive guidance and training of gender focal points at provincial levels; design, implementation and monitoring of a National Action Plan on GBV; and undertaking a Country Gender Assessment on Women, Economy and Social Protection.

# Gender data collection and research/ Monitoring and evaluation:

- The General Statistics Office was supported to strengthen its capacity in collecting, analysing, and disseminating data on population, reproductive health and gender, including contributing to the implementation of the Viet Nam Statistical Development Strategy in the period 2011 - 2020, Vision to 2030.
- With UN support, MOLISA developed standard tools for tracking gender mainstreaming in three selected areas of the National Strategy on Gender Equality.
- 205 Government staff involved in the implementation of the National Strategy for Gender Equality were equipped with knowledge and tools to monitor and report progress in employment, health and women's participation in politics from a gender perspective.
- A number of research studies on children's issues in access to education and social services (including the national Analysis of the Situation of Children in Viet Nam and provincial situation analyses, MICS, Out-of-school Children Study, and School

Readiness Study for Children with Disabilities) have been conducted using a gender lens, with the result that disaggregated data have been made available and analyzed for evidence-based advocacy to the Government.

- Support was provided to develop tools for monitoring the gender-responsive social protection targets of the national action plan for the implementation of Resolution 15 on social assistance, and to draft a database system on social assistance beneficiaries.
- Support was provided for capacity building and implementing the systematic collection and analysis of sex-disaggregated data across the agricultural sector and rural development.

# **Gender-responsive budgeting (GRB):**

- The UN Women publication on gender responsive budgeting in Viet Nam set priorities
  for its GRB work in the coming years. The consultative manner in which the publication
  was prepared has also opened channels of dialogue with Ministry of Finance and
  opportunities for collaboration with other organizations interested in promoting GRB.
- A national GRB capacity development plan was developed by UN Women and the Centre for Women in Politics and Public Administration, Ho Chi Minh National Academy of Politics in consultation with the relevant stakeholders, including MOF, MOLISA and other stakeholders working on budgets and equity.
- In 2015, the National Assembly approved the amended State Budget Law, which
  marked the first time the state recognized gender equality as one of the key principles
  for budget allocation and expenditure. Significant progress has been made towards
  development of Ministry of Finance GRB guidelines.
- In preparation for the revised budget allocation norm for state expenditure in 2016, UN Women worked with the National Institute of Finance to review how GRB can be promoted though this mechanism.
- In 2015, 98 male and female representatives from Parliament committees and key line
  ministries, including the Ministry of Finance, MPI, MOLISA and CSO were provided
  with knowledge on international experience on promoting GRB and entry points to
  promote gender responsive budgeting through analysis of budget allocation norms
  for regular state expenditures.

# **Migration:**

- Support was provided to build the capacity of local governments to support gender-responsive public services and policies for female internal migrant workers.
- MOLISA was supported to protect the rights of women workers who migrate abroad, and to make policies more gender-sensitive.
- Policy dialogue was conducted on the protection of women migrant workers, identifying gaps in current regulations and policies. This led to Department of Overseas Labour (DOLAB) recommendations to adapt regulations and policies to conform with the Law on Gender Equality.
- Key Government staff and participants from licensed recruitment companies received updated knowledge and skills about international migration laws and the human rights of migrants, with an emphasis on the gender dimensions of migration and how to better support women migrant workers.
- Gender-sensitive information on safe migration was provided to migrants and other stakeholders through policy dialogues in six provinces, leaflets and booklets, and pre- departure orientation curriculum for use by recruitment agencies and training of trainers.
- 120 trainers from more than 100 recruitment agencies were provided with training to improve delivery of gender-sensitive trainings to key stakeholders involved in the migration process.
- The Viet Nam Association of Manpower Supply was assisted in improving its monitoring of the implementation of a code of conduct involving 47 recruitment agencies.

### Gender-based violence:

- In 2013 MOLISA committed to develop a new Government programme on gender-based violence prevention for 2016-2020, as a follow-up to the agreed conclusions of the 57th session of the Commission on the Status of Women.
- Six UN-supported studies provided policy-makers and programme planners with an expanded evidence base to more effectively address GBV. They included research

on policing and prosecution of sexual violence against women with the Ministry of Justice, which informed the revision of the Penal Code and Penal Procedural Code, an assessment of a community-based reintegration model for returned victims of trafficking (reflected in the MOLISA training manual to support providers), and a joint UN discussion paper on GBV to support development of the National Programme on Gender-Based Violence Prevention and Response.

- MOLISA initiated consultations to identify GBV-related concerns to be addressed in the first national proposal on GBV prevention and responses for 2016-2020 beyond domestic violence. 105 staff from relevant ministries and departments were trained in using these tools.
- A national network on domestic violence prevention was established under the leadership of the Ministry of Culture, Sports and Tourism (MOCST).
- MOCST was supported to build national capacity in the development and implementation of a national response to domestic violence.
- MOLISA was supported to conduct the first study on sexual harassment at the workplace.
- The UN facilitated MOLISA and partners to agree on a roadmap towards a tripartite code of practice against sexual harassment in the workplace.
- UN collaboration with VCCI resulted in development of a guide and leaflets for preventing and addressing sexual harassment in the workplace, and support for enterprises to implement policies and communication campaigns on sexual harassment.
- Training for journalists on sexual harassment at the workplace was conducted with MOLISA.
- MOET was supported to collect solid evidence on the nature, scope and consequences of school-related GBV, including homophobic and transphobic bullying in educational institutions where there is little official data available.
- Research was conducted on Viet Nam's plural justice system and its response to domestic violence and sexual violence.

- Capacity building courses were provided for local law enforcement and justice officers and legal aid providers on GBV/domestic violence response.
- The Ministry of Public Security was supported in addressing domestic violence by developing a Circular for grass-roots level prevention and control, a checklist for first responders, and information collection forms for police officers.
- Evidence-based VAW prevention and response model projects at schools and community level were monitored.
- A joint Government and UN communications campaign was developed to increase male involvement in preventing violence against women, a joint training and advocacy package was updated, and NGO-led local training and awareness activities were held to prevent GBV in migrant communities.
- UN prepared a policy briefing kit on GBV and piloted a minimum intervention package
  in selected provinces, completed a mapping of legal aid providers, including services
  provided for victims of gender-based violence, and helped strengthen the capacity
  of police, legal aid officers, prosecutors, judges and court personnel dealing with
  domestic violence.
- UN assisted 135 multi-stakeholder representatives to research gender-based violence in the framework of the annual policy dialogue on International Women's Day, and launched, together with Government, the high-profile "16 days of activism" campaign to end violence against women and girls.
- Joint UN initiatives were undertaken to strengthen the health sector in VAW response.

### **Trafficking:**

• The UN improved the investigation capacity of immigration control officers at international border points to effectively combat human trafficking.

#### **Sex ratio at birth (SRB):**

 UN-driven advocacy efforts with legislators and policy-makers at national and provincial levels succeeded in building support for National Assembly Resolution 40 on this issue.

- A national workshop, led by Deputy Prime Minister Nguyen Thien Nhan, addressed son preference and sex selection with leaders from all provinces and representatives from the National Assembly, the Communist Party and civil society.
- Advocacy materials and events were developed and delivered, and 200 MOH national and provincial level trainers were provided with enhanced skills to address this issue in an integrated fashion.
- A national training package was developed to address SRB issues and piloted with Provincial People's Committees in Hai Duong Province.

## Health, HIV/AIDS:

- The Ministry of Health was supported to implement the National Strategy on Population and Reproductive Health (2011-2020) through improving universal access to and utilization of quality and gender-sensitive population and sexual reproductive health services, especially for women, disadvantaged populations such as ethnic minorities, unmarried young people, migrants, elderly, GBV survivors and people living in difficult-to-reach regions.
- MOH was supported to train health personnel and to develop a handbook on mainstreaming gender in health programmes, and to develop information, education and communication materials on gender equality.
- The National Roadmap on Information and Accountability for Women's and Children's Health was developed, and health Management Information System indicators were strengthened for reproductive health, maternal and child health, HIV and gender-based violence.
- MOLISA was supported to strengthen national laws, policies and programmes with
  evidence-based policy solutions to address HIV/AIDS, sexual reproductive health and
  social protection issues among vulnerable populations, including sex workers, young
  migrants and the elderly, and on the prevention of gender-based violence.
- The Ministry of Health was supported in analysis of existing data from multiple sources on intimate partner transmission.
- The National Network of PLHIV was supported to conduct a regular Stigma Index survey.

# **Climate Change Adaptation and Disaster Risk Reduction:**

- The UN left a visible footprint with its advocacy efforts to mainstream gender principles into Climate Change and DRR legislation and the inclusion of the Viet Nam Women's Union (VWU) as an official member of the Central Committee for Flood and Storm Control.
- To support the Women's Union in this new role, the UN built its gender and DRR
  capacity in eight disaster prone districts in Quang Binh and Thua Thien-Hue provinces
  as well as mobilized and built capacity of Women's Unions as one of the key CBDRM
  champions in all the provinces. This has also helped raise community awareness of the
  importance of addressing gender equality in DRR activities.
- The UN, working with the Ministry of Agriculture and Rural Development's (MARD)
   Central Committee for Flood and Storm Control, the Disaster Management Working
   Group and the Women's Union, supported a number of targeted advocacy events in
   2012, calling for more formal participation of women and girls in DRM decision-making
   processes.
- VWU built its capacity to mainstream gender in disaster risk reduction and management at national and local levels through establishment of early warning mechanisms and training modules.
- 38 women leaders at provincial and district level in Binh Dinh province were trained as
  trainers on gender and disaster risk reduction/management. About 160 local authority
  leaders and women are now able to develop gender sensitive community action plans
  on disaster risk reduction for their commune as a result of training received by these
  trainers.

## Women's economic empowerment:

- Through the UN thematic study "Gender equality and inclusive growth in Viet Nam", key national stakeholders and policy makers will have access to evidence-based knowledge and resulting policy recommendations relating to gender inequalities in employment, economic livelihood and participation in Vietnam.
- The Viet Nam Chamber of Commerce and Industry (VCCI) was supported to raise awareness of gender diversity and women's leadership in the workplace, including

promotion of application of the Women's Empowerment Principles.

- The UN helped the Women's Union and Vocational Training Centre pilot a project that resulted in 320 women from poor households in Dong Thap getting increased access to decent employment opportunities and credit for business development.
- The Viet Nam Chamber of Commerce and Industry with assistance from UN Women is now able to apply the global Women's Empowerment Principles to enterprises operations, and has guided 12 enterprises in Ha Noi and HCMC.
- Viet Nam was supported in developing and issuing a decree on protection for domestic workers.
- Policy dialogues were facilitated on gender responsive technology transfer serving the needs of agriculture and rural development in Viet Nam.

# Coordinated action on gender equality:

- The UN-supported Gender Action Partnership (GAP), coordinated by MOLISA, was further strengthened to function as an information exchange and learning forum for 80 practitioners working on gender equality. The partnership also engaged in discussions on a gender equality goal for the post-2015 development agenda, UN Commission on the Status of Women agreed conclusions on ending violence against women, and the Government's plan to implement the recommendations of the agreed conclusions, as well as the ongoing revision of the Law on Social Insurance and its impact on gender equality.
- Support was provided to enhance the capacity of the Viet Nam Farmers' Union and VWU in evidence-based policy advocacy through national campaigns, and community-based models that can be scaled up for nationwide implementation or to influence existing policies on GBV/DV, SRB, elder care, and other emerging population issues.

## **Civil society engagement:**

• Through the UN-supported Gender Action Partnership, more than 200 representatives from line ministries, research institutions and 25 local CSOs working on gender equality and women's empowerment contributed to the Government's review report on the

20-year implementation of the Beijing Platform for Action through an unprecedented participatory process.

- The preparation of the 2015 NGO shadow report to the CEDAW Committee provided an important opportunity for the UN to engage with and support NGO networks working on gender equality to strengthen coordination and capacity to develop coherent advocacy messages.
- Participation of civil society in CEDAW monitoring was strengthened through training, support for coordination and shadow report development with particular focus on young women, ethnic minority women, women living with HIV or disabilities, and LGBT.

#### **Education:**

- The UN-MOET Gender Equality and Girls' Education Initiative in Viet Nam was launched
  in 2015. The goal is to enhance the enabling environment for implementation of
  the legal right of girls and women to education, through gender mainstreaming
  in education plans as well as in curriculum and textbooks, leadership training, and
  awareness raising, focusing on education officials, teachers and experts as well as
  students, parents, community members and the media.
- The Ministry of Education and Training (MOET) was supported in mainstreaming Comprehensive Sexuality Education into schools and community learning centre programmes.
- MOET was supported to conduct an analysis of gender bias in primary school textbooks.
- The Viet Nam Institute of Education Sciences with UN support conducted a study on the Gender Gap in Transition to Higher Education in Mathematics and Science.
- MOET was supported to implement teacher training modules on gender mainstreaming in teaching and classroom practices.

# Women's leadership:

Following a UN-supported policy visit to the US and Canada in 2012, the Center for

Women in Politics and Public Administration was successfully launched in 2013. It offers core programmes on women's leadership to senior Government and Party officials and offers gender-mainstreamed public administration courses for civil servants.

- Ho Chi Minh National Politics Academy was supported to update, improve and gender-mainstream their training curriculum particularly for a strategic leadership course for senior Party officials and civil servants. More than 400 senior GoV and Party leaders benefited from this revised curriculum in 2014.
- A number of research studies were conducted on women's leadership to provide relevant policy recommendation.
- UN facilitated policy dialogues on women's leadership issues such as equal retirement age, barriers to women's advancement in the public sector, academia, and political sphere. Civil society was given opportunities to engage with government on these issues and advocate for increased efforts and resources to address these issues.
- The UN developed a manual for mentoring programme coordinators, providing a capacity-building approach for women leaders in government. Some 920 staff from 10 agencies received the manual and more than 100 women officials received mentoring training.
- Women employed in the public sector and potential women candidates were supported to prepare for the 2016 National Assembly and People's Council elections through innovative eLearning and capacity building training, development of handbooks/manuals and networking facilitation.
- The Viet Nam Fatherland Front (VFF) and Viet Nam Women's Union (VWU) were supported to develop and implement necessary measures to meet the target of minimum of 35% women's representation in the 2016 National Assembly and People's Council elections.

## Ethnic minority women and girls:

• The Committee for Ethnic Minority Affairs (CEMA) was supported to integrate gender equality in their policies and programmes.

- The UN worked with CEMA to help advance ethnic minority women in the civil service.
   Through a combination of evidence-based advocacy and leadership and management training, the number of women at the Director General level increased from one to three, and at Deputy Director level from five to seven at the Committee for Ethnic Minority Affairs in 2013.
- After recognizing that financial barriers prevent the full use of maternal health services in remote regions, UN advocacy resulted in the MOH assembling a multi-ministry team to develop a national policy to provide ethnic minority women with financial support to cover medical care and travel costs not included in the health insurance scheme.

# REFERENCES

ActionAid International Vietnam (AAV). 2014. Safe Cities for Women and Girls: Can Dreams Come True? Policy Brief.

Asia Foundation. 2013. Despite Rapid Modernization in Vietnam, Survey Reveals Gender Bias Persists Among Youth. Available at http://asiafoundation.org/in-asia/2013/03/06/despite-rapid-modernization-in-vietnam-survey-reveals-gender-bias-persists-among-youth

Belanger, Daniele and Tran, Giang Linh. 2013. Precarity, Gender and Work: Vietnamese Migrant Workers in Asia. Diversities vol. 15, No. 1, 2013.

Bowen, Ruth and Do Van Huong. 2012. Women in International Labour Migration from Viet Nam: A Situation Analysis. UN Women Viet Nam and Department of Overseas Labour, MOLISA.

Buvinic, Mayra, Rebecca Furst-Nichols and Gayatri Koolwal. 2014. Mapping Gender Data Gaps (data2x.org).

CCIHP (Centre for Creative Initiatives in Health and Population). 2013. An online study of stigma, discrimination and violence against homosexual, bisexual, transgender, transsexual, and intersex people at school.

CEMA (Committee for Ethnic Minority Affairs). 2016. Strengthening Law & Policy in Viet Nam for the protection of Ethnic Minority women and Girls.

CEMA (Committee for Ethnic Minority Affairs) and UNDP (United Nations Development Programme) Viet Nam. 2010. Status-Quo of Human Resource in Ethnic Minority Areas and Recommending Solutions for Human Resource Development in Ethnic Minority Areas.

CEMA and UN Women Viet Nam. 2015. Briefing Note on the Situation of Ethnic Minority Women and Girls in Viet Nam.

Chinongson, R.A. 2008. CEDAW and the LAW: A Gendered and Rights-Based Review of Vietnamese Legal Documents through the Lens of CEDAW, UNIFEM, Viet Nam.

Committee for Ethnic Minority Affairs (CEMA). 2015. Proposal no. 05/TTr-UBDT on Issuance of

Decision approving EM-MDG Acceleration Framework in line with Post-2015 Development Goals.

CSAGA (Centre for Studies and Applied Sciences in Gender-Family-Women and Adolescent), ISDS (Institute for Social Development Studies) and Action Aid. 2009. Sexual abuse, harassment and the risk of HIV transmission of adolescents in high schools, presented in subgroup Gender and Sexuality, HIV Technical Working Group, Hanoi.

FAO (Food and Agriculture Organization of the United Nations) & Sida (Swedish International Development Cooperation Agency). 2010. National Gender Profile of Agricultural Households, 2010.

FAO (Food and Agriculture Organization of the United Nations), IFAD (International Fund for Agricultural Devlopment) & World Bank. 2015, Gender in Climate-Smart Agriculture: Module 18 for Gender in Agriculture Sourcebook.

Fisher, Jane, Thach Tran, La Thi Buoi, Kelsi Kriitmaa, Doreen Rosenthal & Tran Tuan. 2010. "Common perinatal mental disorders in northern Viet Nam: community prevalence and health care use."

Gardsbane, Diane, Vu Song Ha, Kathy Taylor and Khamsavath Chanthavysouk. 2010. Gender-Based Violence Issue Paper. United Nations Viet Nam.

General Statistics Office (GSO). 2011. Viet Nam Population and Housing Census 2009. Sex Ratio at Birth In Viet Nam: New Evidence On Patterns, Trends And Differentials.

Gilbert, Marc Jason, "When Heroism is not enough: Three Women Warriors of Vietnam, Their Historians and World History." World History Connected 4.3 (2007): Accessed 29 Feb. 2016.

Government of Viet Nam. 1946. Constitution of Vietnam, Article 9.

\_\_\_\_\_. 2013. Combined seventh and eighth periodic reports of States parties due in 2011 to the UN Committee on the Elimination of Discrimination against Women.

Greene, Margaret, Omar J. Robles, Krista Stout, Tanja Suvilaakso, 2013. A girl's right to learn without fear: Working to end gender-based violence at school. Plan International.

GSO (General Statistics Office). 2010a. Gender Analysis Report of the Enterprise Survey 2010.

2010b. Keeping Silent is Dying – Results from the National Study on Domestic Violence
against Women in Viet Nam.
2012. Viet Nam Household Living Standard Survey 2012. In Ministry of Labour, Invalids and Social Affairs (MOLISA). 2014. Gender Equality Department. National Review 20-Year Implementation of the Beijing Platform for Action and the Outcomes of the 23rd Special Session of the General Assembly in Viet Nam.
2013. Summary Report – Keeping Silent is Dying.
2014a. Household Living Standard Survey.
2014b. Report on Labour Force Survey 2014.
2014c. Results of the Vietnam Household Living Standards Survey 2012.
2015. Report on Labour Force Survey 2014.
n.d. Draft National Action Plan on Gender Statistics 2016-2020.

GSO (General Statistics Office) and UNICEF (United Nations Children's Fund). 2015. Viet Nam Multiple Indicator Cluster Survey (MICS) 2014, Final Report. Ha Noi, Viet Nam

GSO (General Statistics Office) and World Bank. 2015. Review Report on data collection on gender statistic indicators from routine report system in GSO and line ministries/agencies, Unpublished.

Hershkovitz, L. 2012. "Policy Brief: Legal Framework on Land Rights for Women in Compliance with Viet Nam Commitments to Human Rights/Women's Rights" (Draft). Prepared for UN Women Viet Nam. (Unpublished).

Hoàng Cầm, Lê Thanh Sang, Nguyễn Thị Phương Châm, Ngô Thị Phương Lan. Nhung Tuyet Tran, Vũ Thành Long. 2013. "The Women's Access to Land in Contemporary Viet Nam."

Hoàng Cầm, Lê Thanh Sang, Nguyễn Thị Phương Châm, Ngô Thị Phương Lan. Nhung Tuyet Tran, Vũ Thành Long. 2013. The Women's Access to Land in Contemporary Viet Nam.

Hong Le, M.T., T.D. Tran, H.T. Nguyen & J. Fisher. 2014. Early Marriage and Intimate Partner Violence among Adolescents and Young Adults in Viet Nam. Journal of Interpersonal Violence,

vol. 29, no. 5, 2014.

ICRW (International Center for Research on Women). 2012. Gender Equality Movement in Schools (GEMS) to be adopted in Da Nang Province.

ILO Country Office for Viet Nam. 2015. Who are Viet Nam's 18 Million Wage Workers?

ILO (International Labour Organization), IOM (International Organization for Migration) & UN Women. 2014. Making the Return of Migrant Workers Work for Viet Nam: An Issue in Brief.

IMHEN (Institute of Meteorology, Hydrology and Environment) & UNDP (United Nations Development Programme). 2015. Summary for Policy Makers. In: Viet Nam Special Report on Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation.

Institute for Family and Gender Studies. 2012. Decent work for domestic workers in Viet Nam, Ha Noi, Labour and Social Publishing House.

International Work Group for Indigenous Affairs (IWGIA). 2014. The Indigenous World 2014.

IOM (International Organization for Migration) and GSO (Government Statistics Office). 2012. Exploratory research – Trafficking in Boys in Viet Nam. humantrafficking.org: Vietnam. Available at www.humantrafficking.org/countries/vietnam

ISDS (Institute for Social Development Studies). 2015. Social Determinants of Gender Inequality in Vietnam. Findings of a research study between 2012-2015.

Joint Programme on Gender Equality (JPGE). 2010. Gender Related Obstacles to Vietnamese Women Entrepreneurs: Technical Report.

Joint Programme on Gender Equality (JPGE). 2012. Gender and Remittances from Internal Migrants.

Jones, Nicola, Elizabeth Presler-Marshall and Tran Thi Van Anh. 2014. Early Marriage Among Viet Nam's Hmong: How Unevenly Changing Gender Norms Limit Hmong Adolescent Girls' Options in Marriage and Life. Overseas Development Institute Country Report.

Julia Rose Cavanaugh. 2012. China's One-Child Policy and its Unintended Consequences on Chinese Society and Gender Ratio.

Mai Thi and Le Thi Nham Tuyet. 1978. Women in Vietnam. Hanoi, Foreign Languages Publishing House.

Mekong Business Initiative. 2016. Women-owned Small and Medium-Sized enterprises in Viet Nam: Situation Analysis and Policy Recommendations.

Menon, N. & Rodgers, Y. 2012. Land Rights and Economic Security for Women in Vietnam. Preliminary draft. (Unpublished.)

Ministry of Culture, Sports and Tourism. 2013. Review and Outline Of Existing Models On Domestic Violence Prevention And Control In Viet Nam: Development Of A Minimum Package Of Interventions For Domestic Violence Prevention And Control In Viet Nam.

Ministry of Health. 2015. National Work Plan on HIV/AIDS Prevention and Control 2016-2020.

Ministry of Health, EPP Technical Working Group. 2013. Preliminary results of HIV estimations and projections in Viet Nam 2013.

Ministry of Health, GSO (General Statistics Office), UNICEF (United Nations Children's Fund) & WHO (World Health Organization). 2005. Survey Assessment of Vietnamese Youth (SAVY).

Ministry of Justice. 2015. Report on the mainstreaming of gender equality in the formulation of legal normative documents. 9 March 2015.

MOLISA (Ministry of Labour, Invalids and Social Affairs) Gender Equality Department. 2014. National Review: 20-year Implementation of the Beijing Platform for Action and the Outcomes of the 23rd Special Session of the General Assembly in Viet Nam.

MOLISA (Ministry of Labour, Invalids and Social Affairs). 2015. Code of Conduct on Sexual Harassment in the Workplace.

MOLISA (Ministry of Labour, Invalids and Social Affairs) and ILO (International Labour Organization). 2013. Sexual Harassment at the workplace in Viet Nam: An Overview of the Legal Framework.

MPI (Ministry on Planning and Investment), CEMA (Committee for Ethnic Minority Affairs ) and UNDP (United Nations Development Programme) Viet Nam. 2015. Summary Report on Proposed Action Plan on Accelerating the implementation of Millennium Development Goals for Ethnic Minorities in Viet Nam.

Munro, Jean. 2012. Women's Representation in Leadership in Viet Nam. United Nations Development Programme

National Committee for the Advancement of Women (NCFAW). 2000. Implementation of the Beijing Platform for Action in Vietnam,

Nguyen, Xuan-Thuy and Claudia Mitchell. 2014. "Inclusion in Vietnam: An intersectionality perspective on girls with disabilities and education." Childhood. Published online May 9, 2014.

Nong Thi Thuy Ha, Christopher Gan, Betty Kao. 2011. An assessment of non-governmental organizations' roles in combating women/children trafficking in Viet Nam. VNU Journal of Science, Economics and Business 27, No. 5E (2011) 25-50; U.S. Department of State. 2016. Trafficking in Persons Report; humantrafficking.org: Vietnam

OECD (Organisation for Economic Co-operation and Development). 2014. Social Institutions and Gender Index (SIGI).

Oxfam Quebec (2008). Gender and Context Analysis for the System of Rice Intensification (SRI) in Vietnam.

PAHE (Partnership for Action in Health Equity). 2012. The Second Viet Nam Health Watch Report: Health System in Viet Nam: Towards Targets with Equity.

Pham Thu Hien. 2015. Analysis of early childhood education and care (ECEC) in Viet Nam. <u>Unpublished</u>.

Population Council. 2007, Changing Transitions to Adulthood in Vietnam's Remote Northern Uplands, Hanoi; UNICEF, Ministry of Education and Training & UNESCO. 2008. The transition of ethnic minority girls from primary to secondary education.

PreventionWeb. 2015. Viet Nam National Progress Report on the Implementation of the Hyogo Framework for Action (2013-2015).

Socialist Republic of Viet Nam. 2007. "Defining the Tasks, Functions, and Organizational Structure of the Ministry of Labour, Invalids, and Social Affairs". Decree No. 186/2007/ND-CP (25 December 2007), Hanoi, Viet Nam Law and Legal Forum.

Socialist Republic of Viet Nam. 2015. Country Report: 15 Years Achieving the Viet Nam Millennium Development Goals.

The Advocates for Human Rights. n.d. Stop Violence Against Women website on Mediation www.stopvaw.org/mediation (accessed 3 July 2016).

The National Assembly's Committee on Social Affairs. 2016. Review Report of Government's Report on the implementation of national targets on gender equality in 2015 and the 2011-2015 period.

Tuoi Tre newspaper. 2014. http://tuoitrenews.vn/society/19787/vietnam-ranks-first-in-asia-in-ab)ortion

Ulrichs, M. 2016. Informality, women and social protection: Identifying barriers to provide effective coverage, ODI Working Paper April 2016. London: ODI.

UN Women. 2008. Viet Nam Gender Research Mapping Project. By J. Doyle. Hanoi, United Nations Viet Nam Gender Audit. Unpublished

UN Women, 2011. Factsheet: Women and Natural Disasters in Viet Nam.

UN Women. 2012. Estimating the Costs of Domestic Violence Against Women in Viet Nam.

UN Women. 2015a. Flagship Brief: Better Production and Use of Gender Statistics for Evidence-Based Localization of the SDGs

UN Women. 2015b. National Report on Social Protection for Women and Girls in Viet Nam.

UN Women. 2016. Towards Gender Equality in Viet Nam: Making Inclusive Growth Work for Women.

UN Women. Forthcoming. Gender assessment of HIV national response in Viet Nam.

UN Women. n.d. Gender, Climate Change and Disaster Risk Reduction and Recovery Strategy-Asia Pacific 2015-2019.

UN Women and FAO Viet Nam. 2014. Policy Brief and Recommendations on Rural Women in Viet Nam.

UN Women and Ho Chi Minh National Academy of Politics Institute of Sociology. 2015. Access to Justice in the Plural Legal System in Viet Nam: A Case Study of Women Domestic Violence Survivors.

UNAIDS (Joint United Nations Programme on HIV/AIDS). 2014. Fast-Track - Ending the AIDS Epidemic by 2030. www.unaids.org/en/resources/documents/2014/JC2686\_WAD2014report Accessed 16 May 2016

UNAIDS (Joint United Nations Programme on HIV/AIDS) and UN Women (United Nations Entity for Gender Equality and the Empowerment of Women). 2012. Measuring Intimate Partner Transmission of HIV in Viet Nam: A Data Triangulation Exercise.

UNDP (United Nations Development Programme) Viet Nam. 2014. Women's Leadership in Viet Nam: Leveraging a Resource Untapped.

UNDP (United Nations Development Programme) Viet Nam and the Ministry of Foreign Affairs of Viet Nam. Women's Leadership: Empowerment of Women in the period of International Integration".

UN ESCAP (United Nations Economic and Social Commission for Asia). 2012. Disability at a Glance: Strengthening the Evidence Base in Asia and the Pacific.

UNESCO (United Nations Educational, Scientific and Cultural Organization). 2014. School-related Gender-Based Violence in the Asia-Pacific Region.

UNESCO (United Nations Educational, Scientific and Cultural Organization) Bangkok and Korean Women's Development Institute. 2013. Gender, Jobs and Education: Prospects and Realities in the Asia-Pacific.

UNESCO and Vietnam Ministry of Education and Training (MOET). 2011. National Textbook Review and Analysis from a Gender Perspective: Report of Findings. In World Bank (2012), Toward Gender Equality in East Asia and the Pacific: A Companion to the World Development Report.

UNFPA (United Nations Fund for Population Activities). 2011a. Ethnic Groups in Viet Nam: An Analysis of Key Indicators from the 2009 Viet Nam Population and Housing Census.

UNFPA (United Nations Fund for Population Activities). 2011b. People with Disabilities in Viet Nam: Key Findings from the 2009 Viet Nam Population and Housing Census.

UNFPA. 2011c. Son Preference in Viet Nam: Ancient Desires, Advancing Technologies. Ha Noi.

UNFPA (United Nations Fund for Population Activities). 2012. Compendium of Research on

Reproductive Health in Viet Nam for the Period 2006-2010.

UNFPA. 2012. Domestic Violence Prevention and Response in Viet Nam: Lessons Learned from the Intervention Model in Phu Tho and Ben Tre Provinces.

UNFPA. 2014. Policy Brief: The Imbalanced Sex Ratio at Birth in Viet Nam: Connecting Research and Policy for Change

UNHCR. n.d. Optional Module. Gender-based Violence. Available at www.unhcr.org/4371 faad 2. pdf

UNICEF 2013. The State of the World's Children 2013: Executive Summary: Children with Disabilities.

UNICEF (United Nations Children's Fund). 2014. Hidden in Plain Sight: A Statistical Analysis of Violence Against Children.

\_\_\_\_\_. n.d. Perils and Possibilities: Growing Up On-line. Available at www.unicef.org/thailand/UNICEF\_Growing\_up\_online\_FINAL2.pdf

UNICEF (United Nations Children's Fund) & MOET (Ministry of Education and Training). 2013. Out of School Children: Viet Nam Country Study.

UNICEF (United Nations Children's Fund), Ministry of Education and Training & UNESCO (United Nations Educational, Scientific and Cultural Organization). 2008. The transition of ethnic minority girls from primary to secondary education.

UNISDR (United Nations Office for Disaster Risk Reduction). 2015. Women's Leadership in Risk-Resilient Development: Good Practices and Lessons Learned.

United Nations 2014 From Domestic violence to Gender-Based Violence: Connecting the dots in Viet Nam.

United Nations Country Team. 2004. United Nations Common Country Assessment for Vietnam.

United Nations Office on Drugs and Crime (UNODC) and UN Women. 2013. Assessment of the Situation of Women in the Criminal Justice System in Viet Nam.

United Nations Viet Nam. 2010. Internal Migration: Opportunities and Challenges for Socio-Economic Development in Viet Nam.

United Nations Viet Nam. 2012a. Issue Paper: Sexual Harassment at the Workplace in Viet Nam: An Overview and the Legal Framework.

United Nations Viet Nam. 2012b. UN Discussion Paper: CEDAW, Women's rights and retirement age in Viet Nam

United Nations Viet Nam. 2014. From Domestic Violence to Gender-Based Violence: Connecting the Dots in Viet Nam: A UN discussion paper.

United Nations Viet Nam. 2015. Delivering as One: Annual Results Report 2014.

United Nations Viet Nam & Oxfam. 2012. Policy Brief: Gender Equality in Climate Change Adaptation and Disaster Risk Reduction in Viet Nam.

UNODC (UN Office on Drugs and Crime). 2011. Research on Law Enforcement Practices and Legal Support to Female Survivorsof Domestic Violence in Vietnam.

UNODC (United Nations Office on Drugs and Crime) & UN Women. 2013. Assessment of the Situation of Women in the Criminal Justice System in Viet Nam.

U.S. Department of State. 2016. Trafficking in Persons Report. humantrafficking.org: Vietnam

VAAC (Viet Nam Authority of HIV/AIDS Control). 2014. Viet Nam AIDS Response Progress Report 2014.

Vandenbeld, Anita and Ha Hoa Ly. 2012. Women's Representation in the National Assembly of Viet Nam - the Way Forward. UNDP Viet Nam.

Viet Nam Academy of Sciences (VASS) & UNDP. 2016. Growth that Works for All: Viet Nam Human Development Report 2015 on Inclusive Growth.

Viet Nam Law Magazine. n.d. Anti-human trafficking programme for 2016-2020 released. Available at: http://vietnamlawmagazine.vn/anti-human-trafficking-program-for-2016-2020-released-5191.html

Viet Nam National Assembly. 2006. Law on Vietnamese workers working overseas under

#### contract.

Viet Nam Women's Union and the Centre for Family and Women's Studies (VWU & CFWS). 1989. Vietnamese Women in the Eighties. Hanoi, Foreign Languages Publishing House.

World Bank. 2008. Women's Retirement Age in Viet Nam: Gender Equality and Sustainability of the Social Security Fund.

	2011. Viet Nam Country Gender Assessment.
	$\_$ .2012. Toward Gender Equality in East Asia and the Pacific: A Companion to the World
Deve	Plopment Report.

World Bank/GFDRR (Global Facility for Disaster Reduction and Recovery). 2011. Vulnerability, Risk Reduction, and Adaptation to Climate Change: Viet Nam. (Climate Risk and Adaptation Country Profile).

WEF (World Economic Forum). 2015. The Global Gender Gap Report 2015: Viet Nam.





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