

USAID/Vietnam

Gender Analysis

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Acronyms

ADB: Asian Development Bank
AI: Avian Influenza
APEC: Asia Pacific Economic Cooperation
CCA: Climate Change Adaptation
CCIHP: Center for Creative Initiatives in Health and Population
CDCS: Country Development Cooperation Strategy
CEDAW: Convention on the Elimination of Discrimination Against Women
CEPEW: Centre for Education Promotion and Empowerment for Women
CSAGA: The Center for Studies and Applied Sciences in Gender, Family, Women and Adolescents
CSO: Civil Society Organization
DRR: Disaster Risk Reduction
EL: Enterprise Law
FAO: Food and Agricultural Organization
FSW: Female Sex Worker
FSN: Foreign Service National
GA: Gender Analysis
GAP: Gender Action Partnership
GBV: Gender based Violence
GCC: Global Climate Change
GDP: Gross Domestic Product
GED: Gender Equality Department
GENCOMNET: Gender and Community Development Network
GNP: Gross National Product
GSO: General Statistics Office
GVN: Government of Vietnam
HIV/AIDS: Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HNEW: Hanoi Network of Entrepreneurial Women
IBBS: Integrated Biological and Behavioral Surveillance
IDU: Injecting Drug User
ILO: International Labor Organization
IOM: International Organization of Migration
ISDS: Institute for Social Development Studies
LGBT: Lesbian, Gay, Bisexual and Transgender
LGE: Law on Gender Equality
LFS: Labor Force Survey
LMI: Lower Mekong Initiative
LTC: Land Title Certificate
MARD: Ministry of Agriculture and Rural Development
MGD: Millennium Development Goal
MMR: Maternal Mortality Rate
MOH: Ministry of Health
MOLISA: Ministry of Labor, Invalids and Social Affairs

MPI: Ministry of Planning and Investment
MSM: Men who have sex with men
NGO: Non-Governmental Organizations
NMS: National Minimum Standards
NTP: National Target Program
NSGE: National Strategy on Gender Equality
PPL: USAID's Bureau of Policy, Planning, and Learning
PWD: People with Disabilities
PWID: People Who Inject Drugs
RFA: Request for Applications
RFP: Request for Proposals
SAVY: Survey Assessment of Vietnamese Youth
SEDP: Socio-economic Development Plan
SME: Small and Medium Enterprises
SOW: Scope of Work
SRB: Sex Ratio at Birth
STI: Sexually Transmitted Infection
TIP: Trafficking in Persons
UNAIDS: Joint United Nations Program on HIV/AIDS
UNDP: United Nations Development Program
UNESCO: United Nations Educational, Scientific and Cultural Organization
UNFPA: United Nations Fund for Population Activities
UNICEF: United Nations Children's Fund
UNIDO: United Nations Industrial Development Organization
UNDOC: United Nations on Drugs and Crime
UN Women: United Nations Entity for Gender Equality and the Empowerment of Women
USAID: U.S. Agency for International Development
USDH: U.S. Direct Hire
USG: U.S. Government
USPSC: U.S. Personal Services Contractor
VCCI: Vietnam Chamber of Commerce and Industry
VDR: Vietnam Development Report
VGA: Vietnam Gender Assessment
VHLSS: Vietnam Household Living Standards Survey
VND: Vietnamese Dong
VWU: Vietnam Women's Union
WB: The World Bank
WEC: Vietnamese Women Entrepreneurs Council
WHO: World Health Organization
WTO: World Trade Organization
WWD: Women with Disabilities

Executive Summary

“Gender equality and female empowerment are now universally recognized as the core development objectives fundamental to the realization of human rights and key to effective and sustainable development outcomes. No society can develop sustainably without increasing and transforming the distribution of opportunities, resources and choices for women and men so that they have equal power to shape their lives and contribute to their community”.

USAID Gender Policy

Vietnam has made substantial progress in several key measures of gender equality, climbing 13 places in the World Economic Forum’s 2012 Global Gender Gap Report to rank 66th overall out of 135 countries surveyed in measures of economic participation, educational attainment, health and security, and political empowerment.

Nevertheless, Vietnamese society remains profoundly unequal in many ways. This is in large part due to cultural structures that privilege boys over girls, undervalue girls’ education and economic potential, and place the burden of unpaid housework and childcare disproportionately on women. Women are concentrated in lower level, poorly paid jobs, are subjected to gender-based violence in significant numbers, and have little opportunity for meaningful participation in local, regional, and national governance and decision-making. They are also forced out of public service at an earlier age than men as a result of mandatory retirement laws, thus depriving Vietnam of its most senior, most experienced women leaders at the peak of their careers and reducing promotional and training opportunities available to younger women at all stages of their careers.

Purpose and Methodology

The overarching purpose of the Gender Analysis was to guide USAID/Vietnam as it develops its Country Development Cooperation Strategy (CDCS) by identifying key gender issues, challenges and opportunities, at a macro level, that are relevant to the attainment of gender equality and women’s empowerment.

This is the first USAID/Vietnam gender analysis thus can serve both as a good baseline and provide a snapshot of strategic issues for the Mission. The analysis also highlights strategic choices to consider in developing gender-sensitive programs and policies. In doing so the Mission will operationalize the 2012 USAID Gender Equality and Female Empowerment Policy’s¹ overarching outcomes:

- Reducing gender disparities in access to, control over and benefit from resources, wealth, opportunities and services - economic, social, political, and cultural;
- Reducing gender-based violence (GBV) and mitigate its harmful effects on individuals and communities, and

¹ Gender Equality and Female Empowerment Policy, USAID PPL

- Increasing capability of women and girls to realize their rights, determine their life outcomes, and influence decision-making in households, communities, and societies.

The Gender Analysis was conducted by a single consultant, Ms. Sumali Ray-Ross, (SOW attached as Appendix I) and the findings included in this report are based on inputs received from key stakeholders within USAID/Vietnam and externally, and supported by data from secondary sources.

Ms. Ray-Ross utilized a rights-based, governance, partnership and empowerment framework for reviewing the data and analyzing the findings. The methodology utilized in conducting the Gender Analysis was two pronged. The first was to conduct a desk review of key documents and the second was to meet with USAID/Vietnam’s Technical Offices and with key representatives from other donors, the Government of Vietnam (GVN), UN agencies and Civil Society Organizations (CSOs). The purpose of the meetings was to identify from their perspective key macro level gender and women’s empowerment issues which USAID/Vietnam could incorporate into its CDCS.

There was consensus across informants that the following gender issues are currently not being adequately addressed in Vietnam:

- Poor implementation of gender equity laws and policies at all levels;
- Cultural biases that subordinate females, such as sex ratio at birth, pervasive gender based violence and stigma and discrimination against the Lesbian, Gay, Bisexual and Transgender (LGBT) community;
- Gender norms and identities that influence political participation and leadership opportunities for women; health seeking behavior, education and employment choices; and policy assumptions such as retirement age;
- Lack of recognition of women’s roles and contributions in the production and use of energy and water resources in disaster preparedness and management, and the potential impact of Global Climate Change (GCC).

This report is not intended to be a list of activities or projects USAID/Vietnam should undertake. It is a review of the “state of gender equality” in Vietnam and provides recommendations that USAID/Vietnam has the comparative advantage to implement either directly or in collaboration with other stakeholders in Vietnam or in the Great Mekong Subregion.

Recommendations: Promoting Gender Equality and Women’s Empowerment Opportunities

Discrimination against women and girls is pervasive throughout their life cycle, beginning with preference for sons that has led to a significant and growing sex ratio imbalance at birth, privileging boys’ education over girls, unequal distribution of household responsibilities and institutional barriers that impede women’s career development, and endemic gender-based violence. USAID/Vietnam should make gender equality a central focus of its CDCS, mainstreaming it and identifying ways in which each of its programs can advance greater

equality between males and females and support women's equal participation in decision-making at all levels of society, setting specific measurable targets to track each program's efficacy.

This report makes a series of recommendations aimed at helping to keep Vietnam moving along the path to gender equality and empowerment. The recommendations focus on key priority areas highlighted in the report as well as on recommendations that will assist with the implementation of strategies designed to address them.

Mission Wide Recommendations

USAID/Vietnam is committed to mainstreaming gender and should undertake the following:

- Incorporate gender into Project Appraisal Documents, Statements of Work, Program Descriptions, Request for Applications (RFAs) and Request for Proposals (RFPs);
- Develop a Gender Mission Order and include in it the establishment of a Gender Mainstreaming Action Group (GMAG);
- Ensure representation from all offices on the GMAG, including both men and women, and FSNs and expatriates (USDH, USPSCs, etc.);
- Conduct gender sensitization and technical gender analysis training for Mission staff and implementing partners;
- Hold implementing partners responsible for integrating gender into programming;
- Develop gender-sensitive indicators that measure specific gender-related goals for each activity and regularly reporting results to the Mission;
- Appoint a Mission Gender Advisor;
- Establish a process for reporting within the Mission on gender integration. This reporting may be included as a required part of the portfolio reviews or be submitted in writing for discussion by the GMAG;
- Participate in the Donor Gender Working Group organized by the UN; and
- Seek to chair the Gender Working Group at the annual Consultative Group meetings.

Gender Based Violence (GBV)

- Develop a comprehensive gender-sensitive response to GBV which is cross-sectoral in nature;
- Increase coordination of GBV prevention and response efforts with the Department of State;
- Ensure inclusion of men and boys to challenge male norms and responses to GBV;
- Partner with international and national CSOs working on gender equality and empowerment to develop domestic violence prevention strategies and public awareness campaigns targeting both men and women;
- Partner with women's organizations to expand services for survivors and build capacity among mental health and social workers, law enforcement, lawyers and judges to respond to the needs of survivors, and to strengthen capacity to advocate on behalf of survivors;
- Seek to improve implementation of the law prohibiting domestic violence and expanding criminal penalties for offenders. USAID/Vietnam should work with lawyers'

organizations including the Vietnam Lawyers' Association and the Vietnam Bar Federation to educate their members about their responsibilities and obligations under the law, and work with law schools to develop specific curricula that ensure graduates are fully prepared to advocate on behalf of victims;

- Work with the GVN to increase the number of shelters for male victims;
- Work with the GVN to improve the quality of counseling and other services available in the shelters for both women and men; and
- To address Sex Ratio at Birth (SRB), USAID/Vietnam should
 - work with the Ministry of Health (MOH) and UNFPA to develop advocacy talking points on the existing regulation against sex-determined diagnosis and sex-selection; and
 - work to improve attitudes towards women and gender stereotyping by expanding opportunities for women and promoting positive images of women.

Disabilities

- Consider integration of programming for people with disabilities (PWD) into all sectors ensuring they address the gender-specific needs and vulnerabilities of women/girls and boys/men with disabilities.

Trafficking in Persons (TIP)

- Continue to support strengthening the GVN's capacity to implement policies, improve the quality of shelters and data, and provide services for underserved populations; and
- Evaluate shelter services and expand support to improve their quality and ensure they address the needs to girls/women and boys/men.

Lesbian, Gay, Bisexual and Transgender (LGBT)

- Conduct the assessment currently being planned by USAID/Vietnam's Office of Health and utilize the findings to develop LGBT friendly policies and programs; and
- Work with the GVN and CSOs to create an enabling environment for the LGBT community to ensure their rights are protected.

Sectoral Recommendations

Health

- Integrate awareness of harmful norms (e.g. gender based violence, men visiting sex workers) into existing and any new activities;
- Ensure that programs respond to the specific gender risks for acquiring and preventing HIV/AIDS and other infectious diseases; and
- Require Implementing Partners to implement a mandatory Sexual Harassment Code of Conduct.

Economic Growth and Governance

- Promote skills training for women, youth and the disabled to ensure equitable participation in the implementation of the GVN's Green Growth Strategy;
- Work with MOLISA, the Social Affairs Committee, the Vietnam Chamber of Commerce and Industry (VCCI), and the Vietnam General Confederation of Labor on wage reform and finalization of the draft Employment and Social Insurance Law;
- Work with the National Assembly and ILO on the implementation of the new Labor Code and on equalizing the age of retirement for women;
- Require Implementing Partners to implement a mandatory Sexual Harassment Code of Conduct; and
- Work with the GVN, private sector and other development partners to strengthen the enabling environment for women's participation and leadership in economic growth and development.

Education

- Support national forums that build social capital of women academicians, scientists and innovators;
- Work with the GVN and Arizona State University to strengthen the protective environment for women in higher education; and
- Develop job placement and mentoring programs for women after graduation from U.S. Government (USG) supported education programs.

Women's Leadership and Public Decision Making

- Under the Lower Mekong Initiative (LMI) provide training and research opportunities for women to undertake short-term visits to centers of excellence;
- Support efforts to change the mandatory retirement age that forces women to retire five years earlier (age 55 years) than men (60 years);
- Support programs that offer training and mentoring for women in mid-career positions to prepare them for advancement and ensure they have the skills needed to be effective in senior level positions;
- Prioritize the inclusion of women in all program discussions with senior Party officials and members of the government to ensure women's voices are heard and respected, and to demonstrate best practices in terms of building inclusive governmental institutions;
- Work with women's organizations, CSOs/NGOs and others to develop public awareness campaigns that target gendered stereotypes about women's and men's respective roles; and
- Support training for men in public service to educate them about their responsibilities under the law on gender equality, and encourages them to be inclusive of women and ensure women receive the same training and promotion opportunities available to men.

Introduction

“We... know that countries are more likely to prosper when they tap the talents of all their people. And that’s why we’re investing in the health, education and rights of women, and working to empower the next generation of women entrepreneurs and leaders. Because when mothers and daughters have access to opportunity, that’s when economies grow, that’s when governance improves.”

President Barack Obama, Remarks at the MDG Summit
United Nations, September 22, 2010

Vietnam has made considerable progress towards gender equality especially in closing gender gaps in education, reducing maternal mortality and expanding economic opportunities for both men and women. In fact, the gender gap in earnings is lower in Vietnam than many other East Asian countries. However, significant challenges still remain with low levels of women’s participation in public decision-making, a highly sex segregated labor market, increasing HIV/AIDS among women, and rising male sex ratios at birth – which reflect a deep-rooted gender bias against girls in society. Gender disparities are more marked in rural areas and among minority populations.

On the UNDP’s 2011 Gender Inequality Index, a composite measure of inequality in achievements between women and men in three dimensions: reproductive health, empowerment and the labor market, Vietnam was ranked 48th out of 145 countries listed. Within the region, Vietnam is second to Malaysia which is ranked 43rd. From 1999 to 2008, Vietnam has risen from the low middle-rank group to the upper middle-rank group.

Another composite indicator, the World Economic Forum’s Gender Gap Index³, assesses countries based on a different, but related, set of indicators. For example, in addition to labor force participation it includes salary differentials and the rate of women’s high skilled employment. For education, it includes literacy, and in the area of health outcomes it focuses on sex ratio at birth and life expectancy. Female empowerment is captured not only by National Assembly representation but by the ratio of female ministers and the presence of a female head

	HDI Rank ² (among 187 countries)	Gender Inequality Index (rank out of 145 countries)	Gender Gap Index (rank out of 135 countries)	Gender Gap Index (rank out of 132 countries)	Seats in National Parliament (% female)	Population with at least secondary education (% ages 25 & older)		Labor force participation rate (%)	
						Female	Male	Female	Male
	2011	2011	2011	2012	2011	2010	2010	2012	2012
Malaysia	61	43	97	100	14.0	66.0	72.8	47	82
Thailand	103	69	60	65	14.0	25.6	33.7	70	85
Philippines	112	75	8	8	21.5	65.9	63.7	51	80
Indonesia	124	100	90	97	18.0	24.2	31.1	53	87
Vietnam	128	48	79	66	24.4	24.7	28.0	74	81
Cambodia	139	99	102	103	19.0	11.6	20.6	76	87

² Human Development Report, 2011, UNDP

³ The Global Gender Gap Report 2012, World Economic Forum

of state. Both indices place Vietnam in the middle of the distribution with the Gender Inequality Index ranking it slightly higher.

According to the Global Gender Gap report released on October 23, 2012, Vietnam ranks 83rd of 132 countries in terms of the ratio of female to male legislators, senior officials and managers. For every 78 senior male officials, there are only 22 senior female officials. In addition, Vietnam ranks 102nd out of 132 countries in terms of women holding ministerial level positions, with only nine female compared to 91 male ministers.

Purpose and Methodology

The overarching purpose of the Gender Analysis was to guide USAID/Vietnam as it develops its Country Development Cooperation Strategy (CDCS) by identifying key gender issues, challenges and opportunities, at a macro level, that are relevant to the attainment of gender equality and women's empowerment. The analysis also highlights the strategic choices the Mission might want to undertake in developing gender-sensitive programs and policies.

Rights-based, Governance, Partnership and Empowerment Framework

The Gender Analysis utilized a rights-based, governance and empowerment framework to review and highlight key issues, challenges and opportunities for USAID/Vietnam to ensure that women and girls have equal access to political, economic, and social opportunities and benefits, and are able to live free from discrimination. These are critical components of any rights-based plan for sustainable development.

The recognition that all individuals are equal, that all are entitled to free and meaningful participation in government, and that all are entitled to equal protection under the law are fundamental principles of human rights. A rights-based approach to development advances these principles through, among other things, a shared emphasis on reducing discrimination against and promoting the inclusion of vulnerable or marginalized groups. Promoting gender equality in programming serves to ensure that both women and men have equal access to the opportunities and benefits associated with development while avoiding perpetuating discriminatory policies or practices.

Gender equality is also essential for good governance. In order for governments to be effective, they must be representative, responsive, and accountable to all their citizens. Where women are underrepresented in or absent from government, women cannot be assured their voices are heard or their unique life experiences represented. Both men and women are essential participants in decision-making at all levels of society. Women must also be empowered to hold those in power accountable for decisions that affect them. Gender-responsive governance must ensure that women are included in oversight mechanisms, have the freedom and power to participate in government accountability institutions, and are empowered to join public debates and advocate for their interests through mechanisms for civil participation. Investment in women's leadership is even more important where women have historically been discriminated against or marginalized.

The Government of Vietnam has through its ratification of CEDAW and multiple public statements crafted an important and necessary legal framework for the advancement of gender equality. That framework provides an important structure on which USAID/Vietnam can build to integrate its Development Objectives with the promotion of gender equality and female empowerment using a two-pronged approach:

- increasing capacity among women as rights-holders to access their rights, demand accountability from those in power for actions that affect them, and take corrective steps where those in power fail to represent their interests or promote their rights; and
- increasing capacity among duty-bearers or those who have the obligation or ability to promote gender equality under the law so that they understand what the law requires and are empowered to take action to implement it.

USAID can accomplish these objectives through facilitating partnerships with public and private entities in both Vietnam and the United States, and through engagement with the community of civil society organizations (CSO) and non-governmental organizations (NGOs) active in Vietnam.⁴

Situational Analysis: a brief summary of gender issues in Vietnam

“We know that long-term, sustainable development will only be possible when women and men enjoy equal opportunity to rise to their potential. But today, women and girls continue to face disadvantages in every sector in which we work, and in other cases, boys are falling behind.”

Dr. Rajiv Shah, USAID Administrator, March 1, 2012

Gender equality in Vietnam has been improving, and Vietnam is set to meet the Millennium Development Goals (MDG) on women’s equality. The gender gap in primary, secondary and tertiary schooling has been closed and even reversed. Compared to other countries in the region, Vietnam has high relative rates of female labor participation and female representation in the National Assembly. Overall, based on the UNDP’s Gender Development Index, Vietnam has risen from the low middle-rank group in 1999 to the upper middle-rank group in 2011.

These results stem in part from explicit efforts to promote gender equality, which were included in the GVN’s Vietnam Development Goals and then incorporated into its Socio-Economic Development Plan 2006-2010. To further this agenda, Vietnam’s National Law on Gender Equality was enacted in 2006 as well as a Law on Domestic Violence Prevention in 2007, and most recently a new draft National Strategy on Gender Equality is on track for approval which aims to improve the implementation of these laws.

Many challenges remain, however, and some of these will become more important as Vietnam continues the transition to middle income status. For example, while their educational achievement is high, women tend to be segregated into particular fields of study that are not

⁴ An appendix identifying the leading organizations working in the area of gender equality is attached.

among the most lucrative. While they are employed almost as much as men, they are less likely to be in skilled occupations. In fact, women's employment is highly segregated into particular industries and occupations. The most recent data from the Vietnam Household Living Standards Survey (VHLSS) suggests this segregation might actually be worsening. In urban areas, more than 70% of women would need to switch industries in order to equalize women's and men's job distributions.

Women work more hours in home production which can limit their hours worked in the labor market, and they face an earlier retirement age which effectively creates a glass ceiling on their advancement. And although they are more likely than men to run their own businesses, those businesses tend to be smaller and located in their homes or on the street, and not in established shops.

With a middle income economy comes a greater need for a skilled and flexible work force. And as Vietnam gets more integrated into the world economy, various sectors will become especially affected by external shocks. Since women are so unevenly distributed across the labor market, their experiences have the potential to be very different from men's.

Moreover, the social milieu provides strong evidence of different status for women. Reducing domestic violence and trafficking are identified government priorities. Women are less likely to be in leadership positions. The uneven sex ratio at birth is a clear indicator that boys are more valued than girls.

Overlaying all of this is the difference between the Kinh/Hoa majority and other ethnic minorities. Not only are members of these ethnic minorities more likely to have poor socio-economic outcomes – more poverty, less schooling and wage labor, etc. – the gap between men and women tends to be larger in those communities, pointing out that it is even more important that policy actions to improve socio-economic outcomes have a gender focus in ethnic minority areas – and that those responses take into account the cultural differences that may exist within those populations.⁵

Current Gender Equality Related Efforts in Vietnam

In 2010, the Government of Vietnam (GVN) finalized its National Strategy on Gender Equality (NSGE) 2011-2020 which was included in its Social Economic Development Strategy 2011-2020. The NSGE highlights several key challenges including increasing representation of women leaders, increasing opportunities for women to participate in political decision making, improving women's employment opportunities, eliminating gender differences in educational outcomes, improving women's health care, and a range of cultural issues including domestic violence and trafficking, the skewed sex ratio at birth and men's lack of housework.

The NSGE sets out a list of general activities to address these issues, calling for more research for policy development. However, it lacks specific details. The NSGE also addresses two significant pieces of recent legislation aimed at addressing these concerns: The 2006 Law on

⁵ World Bank 2011 Country Strategy

Gender Equality (LGE) which is a broad ranging law, and the 2007 Law on Domestic Violence. But, unfortunately, the NSGE also points out that while approved in 2006, implementation of the LGE has been slow and ineffective. Although the LGE directs agencies to mainstream gender issues, many of them have not actively taken up the initiative. The NSGE states that “Policies and laws on gender equality have not been enforced seriously... (Part 1, Section 1b).”

The Gender Equality Department (GED) based in the Ministry of Labor, Invalids, and Social Affairs (MOLISA), is directed to oversee this implementation. During consultations with their director, three problems emerged: first, a lack of action from agencies at the central government level, which they believe is due in large part to a lack of capacity; secondly, a similar lack of capacity on the provincial level where many programs are administered; and thirdly, the lack of a monitoring and evaluation (M&E) system for gauging results. This third issue should be partially addressed soon; however, as the General Statistics Office has committed to designing a set of indicators by the end of the calendar year, using as input a World Bank financed gender data inventory study. However, a fully designed M&E system is not expected soon.

Key Donors

A substantial framework for work on gender already exists in Vietnam. The Joint Program on Gender in Vietnam consists of twelve UN agencies and programs: FAO, ILO, IOM, UNAIDS, UNDP, UNESCO, UNFPA, UNICEF, UNIDO, UN Women, UNODC and WHO. Working in partnership with the GVN and a budget of \$4.5 million, its goal is to provide strategic, coordinated assistance with the implementation of the Law on Gender Equality and the Law on Domestic Violence. The Program also manages the Gender Action Partnership (GAP) which includes several government agencies and independent gender researchers, and attempts to provide opportunities for stakeholders to communicate and collaborate.

The Joint Program also recently released the core areas where they wish to focus their efforts. These include: (1) increasing women’s representation among decision makers, (2) learning more about women’s experience in the informal economy (including ‘invisible work’ such as domestic work and sex trafficking), (3) reducing gender based violence, (4) reducing preferential treatment for boys, such as selected abortions and uneven intra-household resource allocation, (5) obtaining better information on the gender impacts of climate change, (6) making social protection programs more gender sensitive, and (7) engaging men and boys in the effort to achieve gender equity. (See the UN Women’s Donor Mapping Matrix in Appendix IV).

The GVN has a strong national commitment to gender equality and women’s empowerment and has taken important steps to create an enabling environment to reduce gender inequalities and promote women’s empowerment. These include:

1. **The Law on Gender Equality (LGE), 2006**
2. **Establishment of the Gender Equality Department (GED) within MOLISA**
3. **The Law on Domestic Violence Prevention and Control, 2007**
4. **The National Strategy on Gender Equality (NSGE) for 2011-2020**
5. **The National Program for Gender Equality for 2011-2015**
6. **The Law on Anti-Human Trafficking, March 2011**
7. **The Socio- Economic Development Program (SEDP) 2011-2015**

Parastatal Organizations

In addition to the GVN a number of parastatal organizations, such as the Farmers Union, the Vietnam Women's Union (VWU) and Youth Union, have worked with the GVN and both local and international donors to utilize their large networks to work on issues of gender equality and women's empowerment.

The VWU is among the oldest associations in the country and has immense reach. It currently has more than 13 million members who participate in local women's unions at the central, provincial (63), district (642) and commune (10,472) levels. The VWU is part of the Fatherland Front and is tasked with promoting and educating its members about Party policies, among other activities. It offers vocational training and job search assistance, micro-loans and other services directed at poverty alleviation. The VWU has also been at the forefront of official efforts to reduce gender-based violence, instituting a program to identify "trusted addresses" to serve as temporary shelters.

The VWU is well-positioned to serve as a partner in programs to promote gender equality and sustainable development. It has paid staff and offices throughout the country and disseminates information broadly.⁶ It is also increasingly open to engagement with the international community of women; in 2011 the VWU hosted a delegation of women leaders from the United States for a two week program, and in September 2012 sent its own delegation to countries in eastern Europe to discuss models for engaging on issues including gender-based violence, trafficking in persons, drug addiction, and the like.

However, it must be noted that, because of the VWU's strong ties to official Party policies and practices and its long-term entrenchment in communities, the organization's actions and the actions of its staff often reflect the very cultural attitudes that continue to perpetuate gender inequality. Although many of its programs seek to take significant steps in a positive direction, the VWU is not always a powerful advocate on behalf of women's interests within the Party, government or society.⁷

Civil organizations and NGOs

Over the past two decades, the GVN has issued a number of decrees that have facilitated the growth of civil society beyond the associations within the Fatherland Front. As a result, a number of domestic NGOs have formed to promote gender equality and end gender-based violence. The Center for Studies and Applied Sciences in Gender, Family, Women and Adolescents (CSAGA) was founded in 2001 to advocate for the rights of women and children who are survivors of violence. It supports a hotline for survivors, offers training and counseling, and works to promote greater awareness of the consequences of gender-based violence and other

⁶ Press release, 11th Annual Vietnam National Women's Congress, available at <http://www.hoilhpn.org.vn/newsdetail.asp?CatId=255&NewsId=18265&lang=EN>.

⁷ See, e.g., World Bank, Viet Nam Country Gender Assessment, 90 (2011) (noting the VWU's efforts to reproduce Confucian values and expectations and close associations with the official views of the state "illustrate some of the unresolved contradictions in contemporary Vietnamese society's cultural construction of womanhood, in which concerns of gender equality and gender hierarchy are intermingled.").

forms of discrimination through mass media campaigns. The Center for Education, Promotion and Empowerment of Women (CEPEW) is focused on capacity-building among locally elected officials and political candidates and offers training in partnership with the VWU to encourage and support women running for political office. CEPEW has also been a part of the Gender and Community Development Network (GENCOMNET) a network of NGOs that prepare the CEDAW Shadow Report and coordinate efforts to combat gender-based violence.

In addition to these local organizations a number of international groups, including non-governmental organizations (NGOs) such as Oxfam, Save the Children, CARE, PACT, the International Red Cross and its local chapter in Vietnam, have been working in the area of gender equality and/or women's empowerment to specifically address gender issues around the environment, healthcare and disabilities.

For example, Vietnam has a rich and diverse range of CSOs working to prevent HIV infection and support people living with the disease. The recent mapping of CSOs by the USAID Pathways for Participation project revealed that there are currently 246 local CSOs working on the HIV/AIDS response. They range from community-based organizations, networks, self-help groups to professional associations. These CSOs are implementing prevention interventions among at-risk populations, and provide care and support for people living with HIV (PLHIV).⁸

Despite these promising developments, serious obstacles remain to CSOs assuming their rightful place in Vietnam's national HIV/AIDS response. These include: limited organizational capability, stability and accountability; legal barriers to CSO registration and government funding; and a lack of a clear and consistent legal framework governing CSO activities. Overcoming these barriers and equipping CSOs to play their legitimately vital roles represent key challenges and opportunities for Vietnam, not only in HIV/AIDS but also in many other development realms. In the current changing economic and development climate a strong and dynamic civil society sector which contributes and is valued as a partner to the GVN is more vital than ever.⁹

⁸ Personal communication, David Stephens, Chief of Party, USAID Pathways for Participation Project

⁹ Ibid.

Gender Analysis Findings and Recommendations

Discussions with key stakeholders including donors, development partners, the Government of Vietnam and Civil Society Organizations and a review of the literature, identified the following key gender issues. Some of these issues may be new to USAID/Vietnam and some may be areas in which they have been working for some time.

Gender based violence (GBV)

“I think women who suffer from violence should raise their voice and ask for help or counseling. It can vary case by case, but we should not keep silent. Keeping silent is dying.”

Woman in Hanoi

Gender-based violence is a pervasive problem in Vietnam. A comprehensive study conducted by UNFPA and the VWU in 2010 found among nearly 5,000 women between the ages of 18 and 60, 58% had experienced some form of violence at the hands of an intimate partner at some time in their lives.¹⁰ In 2007 the GVN enacted a new Law on Domestic Violence, Prevention and Control that prohibits domestic violence, offers new protections to survivors, positions the problem as one belonging to the community and the state rather than exclusively the family, and incorporates limited criminal penalties. Since the law went into force in 2008, at least two studies have found that the rate of physical violence has not decreased, that both the beneficiaries of the law and those responsible for enforcing it know little about its terms, and that few women are willing to come forward and confront their abusers.

There are significant cultural pressures on women not to come forward and accuse their abusers. Women are expected to endure, are frequently dependent on the family as an economic unit, and can expect to be turned away by family members if they break up the family unit, with serious consequences for both themselves and their children. Often they end up losing custody of their children if they leave. In addition, support systems for survivors are very limited, almost always temporary, and often lack any mental health component to help survivors and their families cope with trauma.

The UNFPA/VWU further found that:

- 32.2% of ever married women reported having experienced physical violence during their lives and 6% had experienced physical violence in the past 12 months;
- women with less education were *more* likely to report physical violence compared with more educated women, and the proportion of ever pregnant women who experienced physical violence in at least one pregnancy was highest among those with no schooling;

¹⁰ “Keeping Silent in Dying: Results from the National Study on Domestic Violence Against Women in Vietnam”; see also UN, Gender Based Violence Issue Paper – Vietnam (2010) which notes that 21% of couples have reported domestic violence. Multiple small-scale studies report wide ranges of physical violence from between 16 and 37%, and emotional violence between 19 and 55%. (Jonzon et al. 2007; Nguyen 2006; Vu et al. 1999)

- women in Vietnam are three times more likely to experience violence from their partners rather than from someone else;
- only 63% of the women who suffered from physical or sexual violence knew about the law;
- among those who knew about the law, many found it helpful because it made them more confident to defend themselves and report their cases, and some felt that it sent a signal to men about their behavior;
- however, very few of those interviewed, whether the women themselves or the health providers and commune leaders, knew the contents of the law in any detail and very few had made any kind of formal complaint under it.

A study done by CSAGA of women in two provinces found that while nearly 62% of the women interviewed had been subjected to some form of violence, fewer than 5% told the police or local authorities. Rather than appealing to the police for safety, women overwhelmingly went to their neighbors' homes as a place of safety.¹¹

Both of these studies found that cultural beliefs and attitudes condoned, and even encouraged, violence against women. Both men and women tend to believe that men express anger differently than women, that alcohol is to blame for most violent incidents, and that women are required to endure. As a result, survivors of violence are reluctant to come forward or seek help making it very difficult to pursue enforcement action against offenders.

Furthermore, where women do come forward, there are very limited facilities to support them. The VWU operates the only domestic violence shelter that accepts both women and children and allows survivors to stay until they can transition to another safe place. In virtually every other case, including the "trusted addresses" promoted by the VWU at the provincial, district and commune levels, women are offered at most a very temporary shelter for the period of an emergency, with no counseling or other services generally available.

¹¹ CSAGA, Report on the Implementation of the Law on Domestic Violence Prevention and Control 10, 19-20.

Law Against Domestic Violence Prevention and Control, 2007

The Law on Domestic Violence Prevention and Control defines domestic violence broadly to include “purposeful acts of certain family members that cause or may possibly cause physical, mental or economic injuries to other family members.” The Law clearly prohibits acts of domestic violence and calls for State action and international cooperation to support education, prevention and control, representing an important step in changing perceptions of domestic violence as a purely private matter. The law further lists a series of rights belonging to survivors, including the right to protection of their lives and dignity, the right to receive medical services, the right to temporary shelter, and the right to request no contact with the perpetrator. It also calls for the establishment of support facilities for survivors, including social protection centers that can provide psychological counseling and temporary housing.

Although the law represents a significant step by the government to respond to the crisis of domestic violence and contains important policy statements about the rights and needs of survivors, its substantive terms tend to prioritize social cohesion through an emphasis on reconciliation and community-based counseling and offer little in the way of meaningful protection for survivors or punishment of offenders.

For example, under the law local authorities may issue an order forbidding contact between the offender and survivor but only for a maximum of three days. In order to receive a no contact order for a longer period (up to a maximum of four months), the survivor (or her authorized representative) must request one in writing from a civil court and must demonstrate she suffered physical harm or a threat of serious physical injury. In either case where a “special event in the families” requires the offender and survivor to be in contact, there is no prohibition on such contact if the offender informs community leaders. At any time a no contact order can be cancelled on the request of the survivor or at the initiative of local authorities or the civil court. At every step in which the survivor is being forced to come forward and speak out against her batterer she is vulnerable to significant influence from family members and the community that may discourage complaints.

With regard to punishment of offenders, Article 42 of the Law provides for civil or criminal penalties depending on the severity of the incident. The standards of severity for criminal penalties, laid out in the Penal Code, are very high. Under Article 104 of the Penal Code, a perpetrator’s punishment depends on the degree of “infirmity” caused and whether an aggravating factor, such as use of a dangerous weapon, is present. In order to meet the minimum level of infirmity necessary for imposition of a criminal penalty in the absence of an aggravating factor, the victim must demonstrate an infirmity rate between 11% and 30%, to be certified by a medical professional. According to injury standards included in the code, 3-5 broken ribs with slight impacts on respiration can amount to an infirmity rate of only 10-12%. Similarly, a victim with a broken nose showing no impact on respiration has an infirmity rate of 10%, and injuries to the sexual organs of a woman greater than 45 years old amount to an infirmity rate of only 10-15%. Significantly higher infirmity rates are attributed to burn injuries or scarring as a result of being choked.

In cases that do not rise to the level of severity required for criminal sanctions, an offender may be subjected to administrative penalties such as a monetary fine, a warning, or requirement of a public apology. Decree 110/2009/ND-CP.

In an unfortunate signal of the approach to gender-based violence the GVN is taking, responsibility for implementation of the Law has been delegated to the Ministry of Culture, Sports and Tourism (MOCST) rather than the Ministry of Health or MOLISA. The MOCST is one of the least representative government departments – fewer than 7% of the directors and 10% of the vice-directors in its 44 provincial departments are women. Although it has approved a strategy for implementation of the Law, the Ministry would seem to be ill-equipped to handle a national public health crisis in which women are the primary victims.

Sex Ratio at Birth (SRB)

SRB is a form of GBV. Traditional social norms, including strong son-preference in Vietnam, as well as access to sex selective technologies to help with prenatal sex identification and selection, have resulted in Vietnam having one of the fastest rising global disparities in sex ratio at birth. The 2009 Census indicates that the SRB for Vietnam is 110.6 males per 100 females, with the richest quintile of the population at 133.1. UNFPA predicts a 10% surplus of men in 2035.

Regional variation exists in the distribution of high SRBs with clusters of high concentration in the more developed provinces of the Red River Delta and around Ho Chi Minh City. There are also pockets of high SRB values elsewhere including in less developed provinces in the North West region which have higher fertility rates and a high proportion of ethnic minority populations.

Recommendations

- Develop a comprehensive gender-sensitive response to GBV which is cross-sectoral in nature;
- Increase coordination of GBV prevention and response efforts with the State Department;
- Work on GBV must include working with men and boys to question male norms and response to GBV when they witness it;
- Partner with international and national Civil Society Organizations (CSOs) who are working on gender equality and empowerment to develop domestic violence strategy and public awareness programs for men and women about the issue;
- Partner with women's organizations to expand the services available to survivors and build capacity among mental health and social workers, law enforcement, lawyers and judges to respond to the needs of survivors and improve their ability to advocate on their behalf;
- Seek to improve implementation of the law prohibiting domestic violence and expanding criminal penalties for offenders are also important and necessary steps. USAID should work with lawyers' organizations including the Vietnam Lawyers' Association and the Vietnam Bar Federation to educate their members about their responsibilities and obligations under the law, and should work with law schools to develop specific curricular materials that ensure graduating students are fully prepared to advocate on behalf of victims;
- Work with the GVN to increase the number of shelters for men as they are limited;
- Work with the GVN to improve the quality of counseling and other services available in the shelters for both women and men;
- Sex Ratio at Birth (SRB) is a form of GBV:
 - USAID should work with the Ministry of Health (MOH) and UNFPA to develop advocacy talking points on the existing regulation against sex-determined diagnosis and sex-selection.
 - USAID should work to improve attitudes towards women and gender stereotyping. By expanding opportunities for women and promoting positive images of women the relative perceived value of boys versus girls could be made more equal.

Lesbian, Gay, Bisexual and Transgender (LGBT)

*"I wish the LGBT community will be recognized as other human beings.
All I ask of them is that they treat me like a normal person and not an ogre."*

Transgender, 22 year old, Hanoi

In Vietnamese society, LGBT are viewed with suspicion as they do not conform to traditional male and female roles. As a result of negative attitudes towards the families of LGBT, many are reluctant to 'come out' as they worry about the "ill reputation for their families" and violence against themselves¹². As a group, LGBT have few to limited rights, face considerable gender inequalities, particularly in terms of access to health, social, economic and legal services and are targeted for stigma, discrimination and violence based on their sexual orientation and identity.

A number of Vietnamese civil society organizations are supporting the LGBT community and advocating for their rights. These groups could benefit from closer collaboration amongst themselves and support from the international community. In a recent meeting organized by the USAID Pathways for Participation project¹³, CSOs working with the LGBT community (Institute for Studies of Society, Economy and Environment (ISEE); Information, Connecting and Sharing (ICS); UN WOMEN, Center for Creative Initiatives in Health and Population (CCIHP); Center for Studies and Applied Sciences in Gender (CSAGA); and Institute for Social Development Studies (ISDS)) discussed current areas of support, including: completed/ongoing research on stigma, transgenders, same sex relationships, media portrayal of homosexuality, LGBT street children in HCMC, gender and sexuality, and men who have sex with men (MSM); training; networking/forums and empowerment, including internet; public events, exhibitions and workshops; advocacy on same sex marriage and sexual rights; psychosocial support for LGBT and their families and friends; mass media engagement; and stigma and discrimination reduction. Several of these organizations are working with the Ministry of Justice on its overhaul of Vietnam's "Family and Marriage Law", which includes a proposal on same sex marriage. Though it is unlikely to be approved, if it were, Vietnam would become the first country in the Region to allow same sex couples to marry and to legally register.

Participants at the Pathway's meeting identified the following areas of need:¹⁴

- mapping of LGBT led groups, organizations, resources and services;
- identification of mechanisms to promote LGBT led groups without administration burdens;
- creation of an enabling environment, including enhanced laws that support the rights of LGBT and increase recognition and acceptance of LGBT; and
- identification of mechanisms for LGBT groups/individuals to strengthen coordination.

¹² Left-handed: Real Life Stories of Lesbians in Vietnam, CSAGA

¹³ Personal communication, Nguyen Thuan, Deputy Chief of Party, USAID Pathways for Participation Project

¹⁴ Ibid.

Given the negative attitudes towards MSM, gender norms around masculinity and sexuality put them at increased risk of HIV infection by creating additional stigma and discrimination that can prevent them from seeking and accessing services. Though there are a few MSM friendly health clinics and services, these are still inadequate and MSM continue to face stigma and discrimination from both public and private health care providers. While there are currently no specialized services for lesbians and transgenders, given the limited data on the LGBT community as a whole, it is difficult to accurately assess unmet need.

Recommendations

- Conduct the assessment currently being planned by USAID/Vietnam's Office of Health and utilize the findings to develop LGBT friendly policies and programs; and
- Work with the GVN and CSOs to create an enabling environment for the LGBT community to ensure their rights are protected.

Health

The intersections of gender and health play out in several areas in Vietnam. Understanding the patterns of ill health among men and women (who gets ill, when, and where) requires examining levels and patterns of morbidity and mortality and their causes and how they differ between men and women. Women's and men's distinct health problems reflect profoundly entrenched gender inequalities and discrimination, and relate to their roles, behavior and the way each is treated.

Gender roles also influence men and women's response to ill health and their burden of care. This requires understanding social expectations of males and females and the opportunities available to them, the activities in which they engage, and their access to and control over resources. The factors to bear in mind include how men and women admit to being ill, how they seek treatment or treatment is sought for them, their authority and ability to make decisions regarding their health and how all of these are shaped by their roles and responsibilities. Also fundamental are their decision-making power, their access to and control over health-related resources (e.g. information and services) and local perceptions of illness and local norms concerning illness and treatment.

Health Systems

Health systems themselves play an important role in reinforcing inequity and stigma. Behavior that is seen as transgressing gender norms is often 'punished' by the health system, for example, when unmarried women or sex workers face discrimination in health care settings when seeking sexual and reproductive health services. Health systems' response to women's specific reproductive and maternal health needs often reflects a 'burdens' perspective rather than a sense of rights and entitlements. In terms of the latter there is no gender disparity with regard to access of services. Globalized economies can also mean decreased food security and nutrition for the poor, which can affect women's health and well-being especially. However, in Vietnam data

from GVN and the Gates Foundation does not support differential rates of malnourishment, including stunting between girls/women and boys/men.

The overlay of public and private health service providers in Vietnam, including private clinics, commercial providers and traditional community providers, offer a wide gradation in quality and cost of services. One of the characteristics of this system is the lack of government regulation and accountability. Accordingly, the system itself presents barriers to access and utilization of services, as well as to quality of services, which may differ for men and women. Women are less likely to access affordable and quality health care services because of multiple factors such as their triple work burden, limited decision making and education.

While much attention has been placed on problems of access to health care, the capacity of the system to respond to patients' needs is a constraint. Improving services and responsiveness may involve in part increasing the capacity of traditional private sector providers and linking them to public health services. In the public health system, the limited presence of women professionals in the health centers and hospitals may make these places less approachable for village women. The absence of women at the policy and management levels of the Ministry of Health (MOH) is likely to result in less attention to concerns of women's health. National surveillance systems that track the differences between men and women in terms of demand and supply for services and care need to be assessed to see if there is a gender disparity. Currently this is unknown.

Plan of Action on Gender Equality in Health 2011- 2015, June 2011

Overall goal: to promote equality between men and women in providing and enjoying health care services, contribute to improvement of the quality of protecting, caring and promoting people's health under the guiding principles of fairness, effectiveness and development.

Specific Objectives:

- ensuring gender equality in accessing and enjoying health care services
- raising awareness about gender equality among civil servants, officials and workers in the Health Sector; supporting activities to minimize the health impact of domestic violence
- promote women's participation in leadership and management throughout the Sector in order to gradually bridge the gender gap
- gradually bridge the gender gap in labor and employment of cadres and officials in the health sector
- improve the quality of female labor workforce, gradually ensure equal participation of men and women in education and training throughout the sector
- enhance the capacity of statement management on gender equality in units directly under the Ministry

Specific targets under each objective have been established for achievement by 2015.¹⁵

¹⁵ A copy of the decision approving the Plan of Action which includes the targets is included as an annex.

Maternal Health

Maternal mortality has declined considerably over the last two decades, from 233 per 100,000 live births in 1990 to 69 per 100,000 live births in 2009, with approximately two-thirds of this decrease related to safer pregnancy. Good progress has also been made in expanding access to quality reproductive health, including maternal and neonatal health; family planning; increased use of modern contraception; and establishment of stronger programs, policies and laws for reproductive health and rights, as well as measures to provide quality services to the poor and other vulnerable groups.¹⁶

Although maternal health has improved substantially, the maternal mortality rate (MMR) remained unchanged between 2006 and 2009. In order to reach the MDG target of reducing maternal mortality by three quarters (to 58.3 per 100,000 live births) even greater efforts are needed. There are also remaining disparity gaps which are important to address, with the MMR higher in remote and ethnic minority areas. Geographical factors, the educational level of mothers and traditional practices in remote areas often prevent mothers from accessing maternal health services.¹⁷

Sexual and Reproductive Health

One third of Vietnamese young people continue to face barriers when trying to access reproductive health information and services. According to the Multiple Indicator Cluster Survey (MICS) in 2010, there is a very high need for contraception among unmarried young people. For example, the unmet need for contraception among young people aged 15–19 years and 20–24 years is 35.4% and 34.6% respectively. Young unmarried women and young adults do not have access to contraceptive services, including information, as a result, a significant number of unplanned pregnancies and unsafe abortions occur especially among unmarried young women. In addition, the adolescent birth rate was higher among groups with lower levels of education, poorer living standard quintiles, and ethnic minority backgrounds in the northern midland and mountainous regions and the rural areas.¹⁸

Child Health

The 2007 Asia-Pacific Report described Vietnam's progress on its child mortality MDGs as the 'greatest success story in the region'. Vietnam has already achieved the targets for both under-five mortality and infant mortality, with both these rates being halved between 1990 and 2006. The infant mortality rate was reduced from 44.4 per 1,000 live births in 1990 to 14 in 2011.¹⁹ The under-five mortality rate has also been reduced considerably, from 58 per 1,000 live births in 1990 to 16 in 2011.²⁰ The ratio of children under five who are underweight fell from 25.2% in 2005 to 18.9% in 2009.²¹

¹⁶ Achieving the MDGs with Equity: MDG 5: Improve Maternal Health, UNDP, October 2012

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Multiple Indicator Cluster Survey, 2011

²⁰ Ibid.

²¹ Achieving the MDGs with Equity: MDG 4: Reduce Child Mortality, UNDP, October 2012

Despite the remarkable progress achieved to date, the largest proportion of under-one mortality is neonatal mortality, which accounts for almost 70% of all deaths in children under one and 52% of all deaths in children under five.²² Studies reveal that disparities in neonatal mortality exist across regions and amongst different groups in the country. The death rate in mountainous rural areas is 2 to 2.5 times higher than in urban and plain rural ones. Newborn survival is closely linked to maternal health thus making motherhood safer is critical to saving newborns. Due to limited education and decision making many women in rural mountainous areas do not have access to basic health services, including pregnancy checkups, delivery support, post-natal care, vaccinations and access to routine care and treatment.²³

HIV/AIDS

“Gender inequality and violence make women and girls more vulnerable to HIV infection and social dependence on men limits women’s ability to negotiate safer sex and access to HIV and AIDS services.”

Fact sheet: USAID Supports Gender Equality and Women’s Empowerment, March 2009

Gender inequality permeates almost all facets of women lives resulting in reduced income, reduced opportunities and reduced power and autonomy. These inequalities enhance girls/women’s vulnerability to HIV/AIDS. The different roles, responsibilities and gender stereotyping that society assigns to girls/women and boys/men profoundly affects risks and vulnerabilities to HIV/AIDS and the ability to cope with its impact.²⁴

As with other countries, the HIV epidemic in Vietnam is made up of a number of sub-epidemics, each with its own dynamics. Prevalence of HIV varies considerably by age, sex, sexual orientation or gender identity, occupational group and location. The epidemic is concentrated among specific ‘high risk’ sub-populations, primarily people who inject drugs (PWID), sex workers (SW) and men who have sex with men (MSM). Prevalence is higher than the national average in the 15-49 age group: it was 0.44 % in 2010 and is expected to increase to 0.47% by 2012. The 20-39 age group accounts for an estimated 80% of the total cases. The majority of PWID are men while the majority of sex workers are women.²⁵ There are also a number of sex workers who also inject drugs.

Though HIV infection primarily occurs among men (73.2% in 2009), the proportion of infected women has been increasing. While some of these women were infected through injecting drugs and/or sex work, significant numbers are contracting the disease through sex with infected partners or husbands.²⁶

²² Joint Annual Health Review (JAHR), 2010

²³ Achieving the MDGs with Equity: MDG 4: Reduce Child Mortality, UNDP, October 2012

²⁴ HIV and Healthy Communities Strategy 2010-2012, International HIV/AIDS Alliance

²⁵ Vietnam Country Gender Assessment, 2011, World Bank

²⁶ Ibid.

Changing norms around masculinity and male prowess, the relaxation of earlier restrictions on sexual behavior, the commodification of sex and a small but growing space for alternate sexual identities and practices are part of the cultural changes that have accompanied the opening up of the economy and the greater freedoms afforded in personal life.²⁷ Cultural norms about gender and sexuality have also given rise to stigma and discrimination within the community against groups most at risk, making it harder for them to seek information or services for prevention or care and treatment when they know they are positive. It also makes it more difficult for them to tell their partners. Men with HIV appear to be more socially accepted than women: the former are regarded as victims of ‘social evils’, the latter perpetrators. One study found that respondents rate sex work by women as a greater ‘evil’ than drug use by men.²⁸

The main challenge in Vietnam lies in the attitudes, prejudices and preconceptions of the different actors that can make a difference. Most at risk individuals often do not accurately assess their own risk for HIV infection, thus fail to use condoms consistently or get tested regularly for HIV. There are inequalities of power that make it difficult for women, whether in the context of commercial or marital sex, to insist on the use of condoms, even when they know the risks.

Emerging evidence suggests a link between gender based violence, unprotected sex and HIV infection.²⁹ This research suggests that sexual violence against girls and women, including within marriage, places women at higher risk of HIV infection not only because forced sex is almost always unprotected sex but also because violent sex can result in abrasions which facilitate HIV transmission. Furthermore, physical and emotional abuse, or fear of it, undermines some MSM, female PWID, SW and women’s ability to negotiate safer sex with their regular partners³⁰.

Avian Influenza

Vietnam was one of the first countries in the world hit by the avian influenza (AI) H5N1 outbreaks in 2003. Since then, Vietnam has experienced more than 3,000 animal outbreaks across the country and has had 123 human cases³¹, half of which have been fatalities.³² Of these, 54% were men and 46% were women.

Vietnam is widely considered to be a model in terms of its response to AI. Since the first outbreak, the GVN has put in place a comprehensive National Avian and Pandemic Influenza (API) Program to support preparedness, planning, multi-sectoral coordination, as well as public awareness and education on API.³³ The government also aggressively reacted through nationwide poultry vaccinations, massive culling, and prohibiting raising of free-range poultry. The GVN’s response to AI is, however, not gender sensitive. Key government agencies in AI control

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ “Keeping Silent in Dying: Results from the National Study on Domestic Violence Against Women in Vietnam”

³¹ as of August 31, 2012

³² Avian and Pandemic Influenza Factsheet, 2012 USAID

³³ Ibid.

and preparedness (Ministry of Agriculture and Rural Development (MARD), MOH and responsible departments) do not recognize specific gender roles in care, handling and marketing of poultry as an important determinant in AI risk, prevention and control. Furthermore, government policy of enhancing bio-security measures for more profitable poultry enterprises may disadvantage poorer backyard poultry keepers who are mostly women, possibly making them more vulnerable to AI and discouraging them altogether from backyard poultry. Evidence to support this assumption shows that over 50% of the AI cases were due to exposure to backyard poultry via flocks or in households.

A gender sensitive approach needs to be incorporated in the GVN's response to AI. The poultry sector in Vietnam is an important source of cash and food for the family, especially among the poor (70% of the sector is small-scale backyard keeping). Women are mainly responsible for managing these small-scale backyard poultry farms, and to a lesser extent, for medium-scale poultry enterprises (ownership is mostly with men). Women are also involved in poultry marketing and often employed on large-scale farms as laborers. Men on the other hand are usually managers of large-scale poultry farms. They are mostly responsible for transport and trading of poultry and poultry products for commercial enterprises, and for veterinary care of poultry. Men dominate veterinary fieldwork and livestock extension services.

Although awareness of AI has improved among women through exposure at awareness-raising community events and their work at live bird markets, their knowledge of AI prevention and control is still limited. In general, only men attend formal training in AI control and prevention. Most members of the Farmers Union and Village Committees are men. Women's access to decision-making in community affairs and issues concerning their farming livelihoods is, as a result, limited.³⁴

Women's direct involvement in poultry production, poor knowledge of AI control and prevention and lack of involvement in decision-making makes them a high-risk group. Bio-security measures that more profitable poultry enterprises can take may be unavailable to poor female backyard poultry keepers. The VWU is a strong driving force in community-based AI campaigns and in bringing AI messages to women.³⁵

Recommendations

- Integrate awareness of harmful norms (e.g. gender based violence, men visiting sex workers) into existing and any new activities;
- Ensure that programs respond to the specific gender risks for acquiring and preventing HIV/AIDS and other infectious diseases (e.g. expand AI training to include female backyard poultry keepers); and
- Require Implementing Partners to implement a mandatory Sexual Harassment Code of Conduct.

³⁴ Gender Aspects of the Avian Influenza in Southeast Asia. Esther Velasco, Elisabeth Dieleman, Siripen Supakankunti, Tran Thi Mai Phuong, Power point presentation

³⁵ Ibid.

Trafficking in Persons (TIP)

“Trafficking in persons, which is fueled by a complex set of factors including the low status of women, poverty and unemployment, demand for cheap labor and sex, corruption and porous international borders, denies women and girls their rights and undermines the fabric of family and society.”

Fact sheet: USAID Supports Gender Equality and Women’s Empowerment, March 2009

Vietnam is primarily a source country for women, men, and children trafficked into sex work or other forms of forced labor.³⁶ Seventy-five percent of Vietnam’s work force lives in rural communities, where much of the work is low-skilled and poorly paid. 1.7 million people enter the workforce every year, generating demand for work with which the National Employment Generation Program cannot keep up.³⁷ The GVN has endorsed the migration of Vietnamese laborers to promote international integration and create better employment opportunities and income potential for workers and remittances for their dependents.³⁸ But the combined impact of unmet domestic demand for work, difficult living conditions in rural communities, and ease in migration increasingly expose Vietnamese citizens and growing numbers of female workers to the dangers of human trafficking.

Statistics on the number of trafficked persons are notoriously difficult as many victims simply disappear or fear social exclusion if they are identified. The GVN estimates that approximately 500 women and children are trafficked in and from Vietnam every year. In a 2010 Strategic Assessment, USAID estimated the number was closer to 900-1,000 per year.³⁹ According to one NGO, as of 2009 more than 4,400 Vietnamese women had been identified as trafficking victims and an additional 22,000 had been reported missing and possibly trafficked.⁴⁰

A 2010 report by the Standing Office of the National Program on Human Trafficking estimates that there are 255 hotspots and 89 primary routes for trafficking around the country. However, according to some estimates 70% of women trafficked out of Vietnam cross the border into China.⁴¹ Many trafficking victims are trafficked internally, generally from rural communities to urban environments.⁴² Prostitution is common in major urban centers, but victims are also trafficked into factories and sweatshops, domestic servitude, and construction labor, among others.⁴³

³⁶ U.S. State Dept., Trafficking in Persons Report 2012 – Vietnam; Human Trafficking Sentinel Surveillance Vietnam–China Border 2010, UNIAP, 2011.

³⁷ Consular Department, Ministry of Foreign Affairs of Vietnam, Review of Vietnamese Migration Abroad 9 (May 2012)

³⁸ Ibid.

³⁹ Trafficking in Person Strategic Assessment, USAID, June 2010.

⁴⁰ ADAPT-VN brochure, available at <http://adaptvn.org> (June 2011)

⁴¹ UNIAP Vietnam, Who is Being Trafficked in Vietnam?, http://www.no-trafficking.org/vietnam_who.html

⁴² Ibid.

⁴³ Ibid.

Though there is rightly much focus on trafficking of women/girls, an August 2011 study conducted in 19 provinces by the GSO with support from the IOM that confirmed trafficking in boys in Vietnam both domestically and in internationally⁴⁴. The study found that boys are trafficked for labor exploitation, begging, sex and for adoption. Although the research uncovered several cases of trafficking in boys, official government records in the research locations and at the local government offices showed no official statistics or cases of trafficking in boys.⁴⁵

The study documented the vulnerability of boys as they are expected to be adventurous, stronger, brave and less at risk of being trafficked. However, these male norms result in boys not being aware of their risk of being abused thus may be more vulnerable to exploitation and/or trafficking. Additionally, the study noted limited knowledge and awareness within communities, families and local authorities regarding the factors that contribute to boys' vulnerability to trafficking, types of trafficking and on the differential needs of girls and boys in terms to reintegration and rehabilitation following their release. Ironically, trafficked boys face less discrimination from the community than girls as trafficking is still widely perceived as being for sex for which boys are mistakenly not seen as vulnerable to in Vietnam.⁴⁶

In the 2012 Trafficking in Persons Report, Vietnam was upgraded from Tier 2 Watch to Tier 2 in large part because of increasing efforts by the GVN to respond to the problem. In 2011, the GVN adopted a comprehensive anti-trafficking law that offered new protections to victims (see Box) and drafted a five-year action plan that assigned specific responsibilities to relevant agencies and allocated \$15 million to the plan's implementation. Nevertheless, more action must be taken to reduce the numbers of women, men and children who are trafficked into modern slavery.

In its Review of Vietnamese Migration, released in May 2012, the Ministry of Foreign Affairs suggested a number of critical steps the GVN must take to protect Vietnamese workers. Beginning with prioritizing implementation of the National Plan of Action on Human Trafficking 2011-2015, the Ministry recommended the following:

- Implementation by the Ministry of Information and Communication of a campaign to educate society on the anti-trafficking law and ways to prevent trafficking;
- Implementation by the Ministry of Public Security (MoPS) of a project targeting smugglers along the main trafficking routes;
- Implementation by MOLISA of a project to ensure returned victims receive support and legal aid;
- Development by the MoPS of an improved legal framework and law enforcement monitoring mechanism to combat trafficking;
- Implementation by the MoPS and other agencies of measures to boost cooperation between Vietnam and other countries on anti-trafficking efforts.

⁴⁴ UN's Three Year-Joint Program on Gender Equality, GSO, IOM, August 2011

⁴⁵ Ibid.

⁴⁶ Ibid.

In addition to these steps, shelters and other facilities that offer services to returning victims need to be improved and their numbers significantly increased. There are only nine shelters for victims, of which six are for women and three for men. The counseling and other services, in these shelters, tend to be rudimentary and lack appropriately trained personnel.⁴⁷

Recommendations

- Girl's/women's and boy's/men's differential vulnerabilities and unmet needs should be examined further and the results utilized in evaluating on-going mechanisms.
- USAID should work closely with the State Department on the anti-trafficking law, to ensure that women have the opportunity for meaningful participation and input on each of these steps, and that the VWU and other organizations representing the interests of their women members are active partners in educating the public about the risks of trafficking and build support for victims.
- USAID's economic growth and governance programs should ensure that trade and legal and regulatory reforms include an analysis of the impact of these policies on gender inequality and on the risks of trafficking
- USAID should examine through its economic growth and health programs whether creating more and better jobs for women in rural communities, especially in border areas, where women and girls are at greatest risk of being trafficked, will reduce pressures on women to migrate for work or marriage and, hence, significantly decrease their vulnerability to trafficking.
- USAID should continue working with MOLISA to utilize and expand the National Minimum Standards (NMS), developed under Asia Foundation for training of professionals, including shelter staff, border guards and provincial officials.
- USAID should work with youth in schools on safe migration education campaigns.
- USAID should also work with women's organizations to improve access to educational opportunities for girls in rural communities, especially in border areas, and support programming through mass media and other outlets that targets cultural attitudes that devalue women and girls and instead encourages families to invest in and appreciate the potential of their wives and daughters.
- USAID should work with women's organizations and NGOs to improve the services available to returning victims and their families, especially with regard to mental health counseling and support. Few services are available to victims, many of whom are rejected by their families and targeted by traffickers, and increasing numbers of whom become traffickers themselves. Building capacity among social workers and mental health providers, as well as law enforcement officials, border patrol officers, and victims' families, to appropriately respond to the needs of traumatized victims and support their reintegration into society through vocational training should be a top priority.

⁴⁷ TIP Report, 2012.

Disabilities

In the recently issued *World Report on Disability* (2011), The World Bank and the World Health Organization (WHO) estimate that there are about one billion people with disabilities globally. According to UNFPA's *People with Disabilities (PWD) Report*⁴⁸ the prevalence of disability, in Vietnam, is slightly higher among girls/women at 8.4% as compared to 7.0% for boys/men five years or older.

Regional data from the North and South Central Coast show the highest prevalence of disability (9.7%). This is followed by the Red River Delta (8.1%) and the Northern Midland and Mountains region (8%). The prevalence of disability is lowest in the Southeast region. In terms of severe disability, the North and South Central Coast and Red River Delta regions show a significantly higher prevalence of disability than found in all other regions.⁴⁹

Regardless of where PWD reside, the majority of people with disabilities live on the margins of society. They are socially isolated, denied basic human rights, unable to access basic services or treatment options, and stigmatized by the non-disabled members of the population. Few community-based social services exist to provide support to people with disabilities and their families. Women with disabilities (WWD) are especially disadvantaged and the intersection of their sex and disability status combines to create particular barriers and challenges for this subgroup. Worldwide, women with disabilities are particularly likely to experience a variety of negative outcomes including low levels of education, unemployment, poverty, and sexual violence.⁵⁰

Results from studies in the US show that women with disabilities experienced almost twice the rate of all forms of gender based violence compared to the other populations. Disabled people are most likely to interact with medical professionals and rehabilitation and social support services staff that may reproduce patterns of gendered discrimination - such as having lower expectations for disabled girls' educational attainment and steering girls to stereotypical female employment and female roles. Women thus confront major obstacles not only in relation to overcoming disabling environments, but also in achieving equal outcomes in terms of education, economic independence and mobility as men similarly disabled.

While social action around disability issues has benefited both women and men, women with disabilities are less likely to be economically self-supporting, or to have spouses to care for them; Women and men with disabilities experience major psycho-social problems that remain largely neglected including depression, stress, lowered self-esteem, and social isolation. Evidence also suggests that women tend to be directed towards home-based activities, while men are likely to be supported into more public and outward-looking opportunities;

⁴⁸ People Living with Disabilities in Vietnam: key findings from the 2009 Vietnam Population and Household Census, UNFPA, 2011

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

The burden for caring for disabled family members usually falls on women in the family, seen as their ‘natural’ role in caregivers.

Recommendations

- USAID should look at disabilities across its different sectors and develop programs that address the gender-specific needs and vulnerabilities of women/girls and boys/men disabled persons.

Women’s Leadership and Public Decision Making

“Increasing women’s political participation and leadership capacity are key ingredients for ensuring that women’s needs are recognized and taken into account in policy formation and decision-making.”

Fact sheet: USAID Supports Gender Equality and Women’s Empowerment, March 2009

Although Vietnam is a party to all international conventions calling on governments to be more inclusive and has set national targets to increase the number of women in political leadership, the percentage of women serving in the current National Assembly is at its lowest since 1997. Vietnam ranks 40th out of 132 countries in terms of the number of women in parliament, but 102nd in terms of the number of women in ministerial positions.⁵¹ Vietnam has never had a woman head of state although a woman has held the position of vice-president.

Women comprise 24.4% of Vietnam’s National Assembly which is one of the highest participation rates of women in national governments in the region. It also exceeds the global average of 19.7%.⁵² However, there has been a steady decline in the number of deputies from 27.3% in 2002-2007, to 25.76% in 2007-2011, to 24.4% in 2011.⁵³ The percentage of women holding ministerial or equivalent posts also declined over this period from 12.5% to 4.5%. The civil service is dominated by men especially the departments of defense/security, law, justice, economics, foreign affairs and finance (85%-92%). In the ‘softer’ departments of culture, education, social affairs, technology and environment, there are higher percentages of women employees (between 28% and 37%).⁵⁴ Women’s education levels are generally higher than those of male party leaders at commune levels, suggesting women need higher levels of education to gain the support of local party members.⁵⁵

- Young women are entering colleges and universities at nearly the same rates as their male peers.⁵⁶ They are more successful than their male peers at acquiring wage work in the formal

⁵¹ Global Gender Gap Report 2012, World Economic Forum

⁵² UNDP, The Millennium Development Goals Report 2012 (July 2, 2012)

⁵³ Vietnam Country Gender Assessment, 2011, World Bank

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ World Bank, Gender Assessment

sector after they graduate and are therefore well positioned to benefit from training and mentoring programs that will prepare them to take on leadership roles in both the private and public sector.⁵⁷

What is standing in women's way?

According to the World Bank's Gender Assessment, the key barriers to women's public participation include:

- Widely held gender stereotypes that men have superior qualities which prime them for leadership positions
- unequal burden of household and reproductive chores, and limited social services to relieve this burden, which limits women's involvement in the workplace and in civic society
- traditional values and attitudes related to women's roles which creates resistance on the part of many men to women taking on leadership positions but also among women themselves
- official rules and regulations which are gender biased, and poor implementation of laws intended to promote gender equality, with no consequences for failure to meet the targets stated
- unequal opportunities for training and capacity development
- age disparity of retirement - 55 years for women and 60 years for men⁵⁸

Changing the latter restriction is a top priority for many of the women affected, many of whom are forced out of government just as they are peaking in their careers and at a time when they are finally free of household responsibilities. As a result, it deprives the state of highly capable women with no clear corresponding benefits. But these women are not the only ones affected; to the contrary, the impact of the mandatory retirement age for women creates barriers for women at all levels of their careers. Women are restricted to a shorter career projection, reduced time and opportunity for promotion, decreased earning potential over time, and are exposed to discrimination at the hands of their employers who are less motivated to invest in female employees who cannot work as long as their male counterparts.

The National Strategy on Gender Equality for the 2011-2020 period has set specific targets to increase the proportion of women in Party committees: to 30% by 2016 and 35% by 2020. It also sets targets for including women in the leadership of ministries, ministry-level agencies, and Party and state agencies at all levels. However, without concerted efforts to enforce these targets and improve women's access to leadership at all levels there is very little chance the targets will be met.

⁵⁷ Gaelle Pierre, Recent Labor Market Performance in Viet Nam through a Gender Lens, 3, 13-14, World Bank (2012)

⁵⁸ World Bank, Gender Assessment

In a forthcoming report titled “Women’s Representation in Leadership In Vietnam,” produced by the Cambridge-Vietnam Women’s Leadership Program: Empowerment of Women in the Public Sector in the Context of International Economic Integration (EOWP), drawn from publically available data and interviews with current and former women members of the National Assembly about the barriers they faced, the authors make the following key recommendations:

Policies and Programs:

- Consider removing the discriminatory practice of forcing women to retire 5 years earlier than men and at the pinnacle and most effective point in their career. Revise the labor code to ensure women and men have the same maximum and minimum retirement age.
- Consider removing age restrictions placed on women during hiring, promotion and nomination for training.
- Implement specific hiring, training, promotion policies to have a minimum of 30% women in deputy director and director positions in government (both department and division) and the Party. More importantly, put in place strict punitive measures if these targets are not met.
- Implement an award system to recognize departments that introduce progressive employment and human resource practices that result in an increase in women’s representation in deputy and director level positions.
- Implement training and mentoring programs for women in junior positions to prepare them for advancement and to be effective in senior level positions
- Conduct studies and begin conversations about the introduction of a parental or paternity leave to show government support for men to play a larger role in child care and to support their spouses in pursuit of careers
- Implement training programs within established institutions (schools, universities, academies) that give preference to women students and that provide soft skills such as public speaking, debating, arguing, speaking with constituents, policy writing, action plan development and inform women of candidate selection and nomination processes

Attitudinal Change:

- Implement awareness raising campaigns targeted at senior official of the Party and government arguing the importance and effectiveness of having an equal level of women in senior decision making positions and suggesting best practices for increasing the number of women in senior level positions.
- Implement awareness raising and behavior change campaigns targeted at men in the public service on the role men need to play in the home to allow and support women to pursue and be successful in their careers and how male colleagues can mentor, support and promote their female colleagues.
- Carry out innovative awareness raising campaigns to involve the general public by showcasing prominent women leaders in Vietnam and Asia,
- Support media to work more with current women leaders, to bring forward women’s views in present debates and issues and encourage media to seek out women’s views on issues and represent these fairly and equally.
- Implement young women’s leadership training courses in high-schools and universities to engage women at a young age and to encourage them and provide them the necessary knowledge, skills and confidence to become leaders.
- Work with youth to engage them on gender equality, rights of women, roles of men in child care and home management and roles of women as leaders in the workplace and community.

Recommendations

- One of the most significant barriers women face is the discriminatory mandatory retirement age that forces women to retire five years earlier (55 years) than men (60 years), with serious consequences for women at every stage in their careers. Supporting women's efforts to change the law should be a top priority for USAID.
- USAID should support programs that offer training and mentoring for women in mid-career positions to prepare them for advancement and ensure they have the skills needed to be effective in senior level positions. This should include implementing training programs within established institutions (schools, universities, academies) that give preference to women students and that provide soft skills such as public speaking, debating, arguing, speaking with constituents, policy writing, action plan development and inform women of candidate selection and nomination processes
- USAID should also prioritize the inclusion of women in all program discussions with senior Party officials and members of the government to ensure not only that women's voices are heard and respected but also to demonstrate best practices in terms of building inclusive governmental institutions.
- USAID should also work with women's organizations, NGOs and others to develop public awareness campaigns through mass media or other outlets that target gendered stereotypes about women's and men's respective roles both in and out of the home and encourage men to support women to pursue their careers.
- Finally, USAID should support training for men in public service that educates them regarding their responsibilities under the law on gender equality, and encourages them to be inclusive of women and ensure they receive the same training and promotion opportunities available to their male peers. Such training should also include training on sexual harassment in the workplace and how to create a gender-sensitive workplace.

Economic Growth and Governance

'Women make a significant contribution to the global economy and empowering women economically can lift entire families and communities out of poverty.'

Fact Sheet: USAID Supports Gender Equality and Women's Empowerment, March 2009

Although in many respects women have been important drivers in Vietnam's economy and have realized significant benefits from its expansion, they are also over-represented among those the economy has seemingly left behind. Income inequality and inequities in access to health and education have risen within certain regions and among certain social groups in Vietnam. Ethnic minorities, especially women, most of whom are concentrated in remote rural communities, are lagging in their ability to take advantage of economic opportunities.⁵⁹ Women continue to be

⁵⁹ The Gini coefficient shows that income inequality rose from 0.42 in 2004 to 0.433 in 2010. Vietnam Human Development Report 2011, UNDP

among the majority of those living at or below the poverty line, and widowed women head many of the poorest households.⁶¹

In order to fully understand women's access to participation in the Vietnamese economy, it is therefore necessary to consider important differences between women in rural and urban communities, and between women in different age groups and with different educational backgrounds.

Labor force participation

Vietnam has a labor force of 51.4 million people and a female labor force participation rate of 74% compared with 81% for males⁶². The female labor force participation rate is one of the highest in the world, placing Vietnam 13th out of 132 countries surveyed for the World Economic Forum's 2012 Global Gender Gap Report (released on October 23, 2012). The labor force participation rates for women are highest in rural communities, suggesting that women in rural communities have little choice but to work to supplement household income while women in urban communities can afford to search for good jobs or leave the work force.⁶³ Although the labor force participation rate for women is lower than that for men in all age groups, the gap is largest, in the public sector, among workers over the age of 50, likely attributable to the mandatory retirement age for women.⁶⁴

Women's Empowerment Principles

On October 26, 2012 the VWU and the Women Entrepreneurs' Council of the Vietnam Chamber of Commerce and Industry (VCCI) held a joint program with the UN-Vietnam to promote the Women's Empowerment Principles, a new set of guidelines for businesses on how to empower women in the workplace, marketplace, and community. Twenty CEOs of Vietnamese businesses signed on to the Principles, making Vietnam the first among ASEAN states to demonstrate such commitment. During the ceremony, Ms. Nguyen Thi Tuyet, Vice-President of the VWU, noted that "[w]e need to empower women because equality means business."⁶⁰

The Principles include the following:

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

⁶⁰ UN Viet Nam News Highlights, <http://www.un.org.vn/en/spotlight-articles-press-centre-submenu-253/news-highlights-press-centre-submenu-254.html> (October 26, 2012)

⁶¹ Vietnam Country Gender Assessment, 2011, World Bank

⁶² World Economic Forum, Global Gender Gap Report 2012, released October 23, 2012; see also 2011 Vietnam Labour Force Survey, General Statistics Office.

⁶³ GSO, Report of the 2011 Labor Force Survey, 13; Gaelle Pierre, World Bank, Recent Labor Market Performance in Vietnam through a Gender Lens (May 2012).

⁶⁴ GSO, 2011 Labor Force Survey

Social Protection Policies

Key social protection strategy and policy frameworks are in place, including the Gender Equality Law, the new National Targeted Program on Poverty Reduction, Resolution No 80/NQ-CP on Sustainable Poverty Reduction (2011-2020) and a new master Plan on Social Protection, which together have considerable potential to promote more gender-sensitive social protection interventions.

However, Vietnam's national social protection system plays, at best, a limited role in addressing gendered risks and vulnerabilities.⁶⁵ As Vietnam starts to consolidate its middle-income status, there is an urgent need to strengthen its social protection framework.

To date, the social protection agenda has generally been presented in terms of the categories of poor, excluded and vulnerable social groups, differentiated according to age, health status and relationship to formal labor markets. This emphasis on the formal sector has left women out of the picture because women are mainly engaged in unpaid and informal jobs. Adding to these gender constraints, women's responsibilities for care-giving and domestic work constrains their ability to participate in the formal economy.⁶⁶

In terms of social exclusion, men and women are not only affected differently by the same risks, but also can face different types of risks. Recent study of social exclusion in Vietnam noted that women face particular economic vulnerabilities such as high wage differentials, employment insecurity because of culturally specific gendered work norms and constraints in balancing income-generating opportunities outside the home with domestic demands.⁶⁷

Gendered social exclusion also manifests in non-economic spheres, such as that of health. In Vietnam, women often make greater sacrifices in food consumption in times of economic difficulty and following natural disasters,⁶⁸ while young girls may have less access to healthcare than boys.⁶⁹ In terms of social vulnerabilities, time poverty exacerbated by women's double role of productive and reproductive responsibilities is a key concern.⁷⁰

Ensuring a gender perspective in the design and implementation of different types of social protection policies and programs can enhance the effectiveness and efficiency and improve social protection outcomes for both women and men in Vietnam. Broad-based recommendations for gender-sensitive social protection policy include the following: strengthen gender-sensitive

⁶⁵ Nicola Jones and Tran Thi Van Anh (2012), *The Politics of Gender and Social Protection in Vietnam: Institutions, ideas and interests*.

⁶⁶ Kabeer, N and Tran Thi Van, A. 2006. *Globalization, Gender and Work in the context of transition: the case of Vietnam*, UNDP Policy Dialogue Paper, United Nations Development Program

⁶⁷ Holmes Rebecca and Nicola Jones. 2010. 'Rethinking social protection using a gender lens', Working Paper 320, ODI.

⁶⁸ Ibid.

⁶⁹ MOH et al. *The Difference in Utilization of Paediatric Health Services Between Girls and Boys at the Hospital Level*.

⁷⁰ Holmes Rebecca and Nicola Jones. 2010. 'Rethinking social protection using a gender lens', Working Paper 320, ODI.

policy and program design; invest in implementation capacity; improve coordination between actors; maximize the potential of the community–program interface; ensure gender-related monitoring, evaluation and learning; and strengthen women’s agency, advocacy and representation.⁷¹

The new Labor Code adopted by the National Assembly in June 2012 has three Articles on “sexual harassment”. This is a significant step forward in addressing sexual harassment in the workplace.

Quality of employment

There are significant gender differences within employment sectors that suggest women are not as well positioned as men to take advantage of economic development in Vietnam. Among all workers in Vietnam, the bulk of employment (70%) is informal,⁷² which means employment without social security.⁷³ Informal employment includes agricultural workers, most of those working for private, unregistered businesses, and some workers in the formal sector who are employed under informal contracts or “off the books.” Workers in informal employment are typically subject to poorer working conditions and have few to no legal protections.⁷⁴ The consequences for women can be significant. For example, women employed informally in export factories work long hours under poor conditions at significantly lower pay than their male counterparts, in some cases making only 58% of what their male counterparts are paid.⁷⁵

Outside of manufacturing, women tend to be clustered in a limited number of occupations and more vulnerable jobs.⁷⁶ According to the GVN’s Labor Force Survey (LFS), 51% of women in Vietnam are employed in agriculture, forestry and fishing as compared to 46% of men⁷⁷. Sixty-four percent of rural working women were employed in agriculture (compared with 53% of rural working men), and 22.2% of women overall were limited to unpaid family labor.⁷⁸ Data for the percentage of men in unpaid family work is unknown. A high proportion of ethnic minority women in rural areas (87%) are self-employed in agriculture. Outside of agriculture and unpaid family labor, women tend to outnumber men overwhelmingly in the fields of hired domestic help (91% of whom are women), education (70%) and accommodation and food service activities (70%).⁷⁹

⁷¹ Ibid.

⁷² Vietnam Country Gender Assessment, 2011, World Bank

⁷³ Women’s Participation in Vietnam’s Economy, 2010, USAID. Informal employment is broader than employment in the informal sector, which refers only to enterprises that are not registered. Informal employment includes most workers in the agricultural and informal sectors and also some workers in the formal sector who work under informal contracts. Vietnam Country Gender Assessment

⁷⁴ Vietnam Country Gender Assessment, 2011, World Bank

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Report on the 2011 Labor Force Survey, GVN, Ministry of Planning and Investment, General Statistics Office, Hanoi, 2012

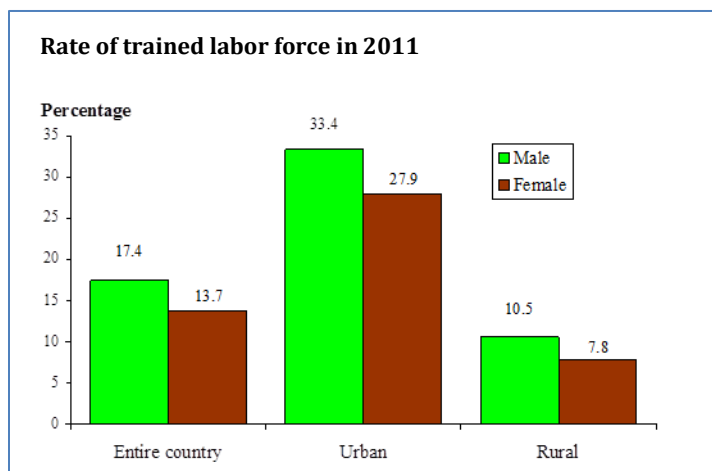
⁷⁸ Vietnam Country Gender Assessment, 2011, World Bank

⁷⁹ 2011 Vietnam Labor Force Survey, General Statistics Office, 2012

Around 50% of the working population in Vietnam is self-employed. Much of them operate small and medium enterprises in the informal sector. Where women own their own businesses they tend to be less developed: they are less likely to be legally registered, to employ workers, to operate out of permanent structures or access public services. Nevertheless, the number of women-owned business is growing: among formal enterprises, approximately 30% were woman-owned in 2009, compared to 20% in the 1990s.⁸⁰

Skill development

Vietnam’s labor force is generally young and unskilled: 48.4% of the labor force is in the age group 20-39 years and only 15.6% of the labor force have received technical training.⁸¹ More men than women have had some form of technical training, with most of the population of trained workers concentrated in urban communities.⁸² Data from the General Statistics Office, 2011 Labor Force Survey (see figure below), indicates that within the urban workforce, 27.9% of women have had some form of technical training, compared with only 7.8% of women in rural communities.⁸³



Although girls have caught up with boys in terms of primary school completion rate, except for in ethnic minority region, they come close to surpassing men’s achievements at the highest levels of education. According to the 2008 VHLSS, women were *more* likely than men to have a college degree (1.5% to 1.1%), and only slightly less likely to have a university degree (3.1% to 4.7%).⁸⁴ Younger workers are also far more likely than older cohorts to have completed some portion of secondary school, and far less likely to have no degree.⁸⁵

⁸⁰ Vietnam Country Gender Assessment, 2011, World Bank

⁸¹ General Statistics Office, 2011 Labor Force Survey, 2012

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Pierre Gaelle Pierre, Recent Labor Market Performance in Viet Nam through a Gender Lens, 3, 13-14, World Bank (2012).

⁸⁵ Ibid.

Educational achievements translate directly into higher quality employment for women. Although women who did not complete primary school are more likely than their male counterparts to be inactive, women with a college or university education are *more* likely than their male counterparts to be working, and have more success at finding quality wage work.⁸⁶

Rate of trained employed population in 2011

Unit: Percentage

Residence/Socio-economic region	Total	Vocation training	Secondary vocation school	College	University and over
Entire country	15.4	4.0	3.7	1.7	6.1
Male	17.2	5.9	3.3	1.2	6.7
Female	13.5	1.8	4.0	2.2	5.4
Urban	30.9	6.7	5.8	2.8	15.5
Rural	9.0	2.8	2.8	1.2	2.2
Socio – economic region					
Northern Midlands and Mountains	13.6	3.8	4.4	1.9	3.5
Red River Delta (*)	16.8	6.8	3.7	1.9	4.5
North and South Central Coast	14.4	3.2	4.3	1.8	5.1
Central Highlands	10.8	2.3	3.3	1.4	3.8
Southeast (*)	13.0	4.1	2.9	1.3	4.6
Mekong River Delta	8.6	1.8	2.4	1.0	3.4
Ha noi city	30.6	5.5	5.6	2.5	17.1
Ho Chi Minh city	29.3	6.2	3.0	2.7	17.4

(*) Red River Delta excludes Hanoi City and Southeast excludes Ho Chi Minh City.

The data in table above from the General Statistics Office, 2011 Labor Force Survey, shows the gender and regional disparities in educational differences of the ‘employed’ population. The proportion of male trained employees is 17.2% versus 13.5% for female. Among the different educational levels (‘vocational training’, ‘secondary vocation school’, ‘college’ and ‘university and over’), the disparity in vocational training between male and female employees is highest with almost 4% (5.9% for men and 1.8% for women).⁸⁷

Earning potential

Although Vietnam ranks relatively high globally in terms of wage equality (54 out of 132) in the Global Gender Gap Report, women typically earn significantly less than men. Women’s wages are now about 87% those of men, not taking into account differences in education or job experience. It should be noted that income of male workers is higher in all reference groups. The “Foreign Investment” sector has the highest disparity of income; women earn about VND 1.34 million per month less than men, suggesting that men maintain higher level employment than women on average.⁸⁸

⁸⁶ Ibid.

⁸⁷ General Statistics Office, 2011 Labor Force Survey, 2012

⁸⁸ Ibid.

Women in management

Women are frequently discriminated against when applying for high-level professional positions; advertisements indicating that men are preferred as applicants are not uncommon, even within government ministries.⁸⁹ Perhaps as a result, only 5% of the presidents in large companies and 9.7% of the vice presidents are female⁹⁰.

The paucity of women in management is significant, particularly where they are gaining entry to professional jobs at a higher rate than men. According to the 2012 Global Gender Gap Report Vietnam has more female than male professional and technical workers (51 to 49) but significantly fewer women in senior management (22 to 78).

The mandatory retirement age for women that requires women to leave the workplace at a much earlier age than men (55 v. 60) and government and company policies that require training to have been completed by a certain age create disproportionate barriers for women and limit their access to promotions and managerial jobs.⁹¹ Likewise, traditional attitudes that place disproportionate burdens on women within the home inhibit their full participation in the labor market.⁹²

With the exception of the VWU, the leadership of unions that are expected to advocate for workers are overwhelmingly male, even within factories where women workers outnumber men, making it unlikely that they will take significant action to advance the interests of women workers.⁹³

There are three key women's business associations in Vietnam: the Vietnamese Women Entrepreneurs Council (WEC) and the two newly formed associations, the Hanoi Network of Entrepreneurial Women (HNEW) and the Saigon Women Entrepreneurs Club.

Regulatory action

The Labor Code has been revised to ensure compatibility with international standards, including those related to gender equality. Although the Labor Code offers new protections for workers, including some protection from sexual harassment in the workplace, it reinforces gender stereotypes by, for example, providing for extended maternity leave for women without corresponding family leave for male workers. While anti-discrimination laws are so weakly enforced, the new Labor Code is unlikely to do much on its own to ensure greater equality within the workplace. Details on the Code are in the box below.

⁸⁹ Women's Participation in Vietnam's Economy, USAID (2010).

⁹⁰ Vietnam Country Gender profile, JICA, 2011. It should be noted that these percentages exceed the proportion of women in leadership among Fortune 500 companies; only 18 companies on the list are led by women (3.6%), and one in ten companies have no women serving on their boards. See the full list at http://money.cnn.com/magazines/fortune/fortune500/2012/full_list/.

⁹¹ Vietnam Country Gender Assessment, 2011, World Bank

⁹² Vietnam Country Gender Assessment, 2011, World Bank; and various other reports.

⁹³ Women's Participation in Vietnam's Economy, 2010, USAID

New Labor Code, passed June 2012, goes into effect May 2013

The New Labor Code offers new protections for employees. Notably, the Labor Code prohibits discrimination on the basis of sex, marital status, or disability, among other protected classifications, and expressly prohibits sexual harassment in the workplace. Article 8 (1-2). An employee who suffers sexual harassment in the workplace is entitled to terminate her employment on three days' notice without consequence even in the event of a fixed term contract. Article 37(1)(c). The Labor Code is silent with respect to the treatment of those found responsible for harassing a female employee.

The New Labor Code also extends maternity leave for women from four months to six months, and requires employers to guarantee the same position to a woman returning from maternity leave or arrange a new position for her with no reduction in salary. Articles 157, 158. Employers are prohibited from terminating the employment of women while they are on maternity leave. Article 39.

The Code also offers protections for domestic employees, requiring employers to sign a written contract with them and compensate them for social and health insurance, while prohibiting employers from sexual harassment and any form of forced labor. Articles 180-181, 183.

Despite the surface advantages the New Labor Code offers women employees, it reinforces gendered stereotypes in several significant ways. While the New Labor Code increases the time available to women for maternity leave, it does not offer any form of paternity or parental leave for male employees, reinforcing the idea that responsibility for childcare belongs exclusively to women. In addition, the New Labor Code prohibits women from working in any industry that "can adversely affect the reproductive functioning and child fostering [responsibilities]," leaving the determination of these industries to the Ministry of Health and MOLISA. Article 160. The Code further prohibits employers from requiring women to work at night, overtime, or on "far business trips" if they have a child under 12 months old. Article 155. Although the Code encourages employers to take measures to support women in the workplace and offers tax benefits to employers who hire more women, a potentially important step toward incentivizing employers, it is not clear whether the incentives offered adequately compensate for the likely increased burdens that may be perceived as attached to female employees, particularly where anti-discrimination policies are not strictly enforced. The anticipated burden of accommodating longer leaves of absence for women with children exposes women to significant discrimination in hiring decisions.

In other ways, laws and regulations at least nominally intended to create new opportunities do little to promote women's ability to access benefits from them. Decrees and Circulars intended to implement the Law on Enterprises and the Law on Investment do not have specific provisions that would support women as entrepreneurs. To the contrary, they do not recognize women as investors and as owners of SMEs⁹⁴.

Programs that improve smallholder farmer income among poor female farmers and ethnic minorities are essential to prevent these groups from being left behind from the mainstream of economic growth. An example is the USAID "Sustainable Cocoa for Farmers" program (see

⁹⁴ Gender Related Obstacles to Vietnamese Women Entrepreneurs', UN-GOV Joint Programme on Gender Equality (prepared by UNIDO and VCCI), 2010

box below), which aims to enroll more female farmers, improve cocoa productivity and quality, and build strong local technical and management capacity to ensure long-term economic and environmental sustainability.

Example of Gender Mainstreaming in Sustainable Cocoa Production in the Central Highlands

USAID in collaboration with ACDI/VOCA, the World Cocoa Foundation, Mars, and other organizations promotes sustainable cocoa production in the Central Highlands to improve livelihoods of the poor. The project is committed to gender equality and to reducing poverty among ethnic minorities. To ensure that ethnic minorities and especially poor women benefit from the project, it has identified gender and social barriers to cocoa production and market access. Subsequently, the project has taken a proactive approach in addressing these barriers throughout the life-cycle of the project.

Examples of the project's gender mainstreaming actions are:

- **Integrated gender analysis into baseline study;**
- **Introduced gender sensitive indicators and disaggregated all individual level indicators by sex: e.g the proportion of women in leadership positions in producer organizations and targeted agribusinesses; and changes in women's reported access to inputs, technical assistance and markets;**
- **Trained project staff and partner on how gender dynamics in Vietnam affect productivity, livelihoods and economic growth;**
- **Facilitated discussion on behavior change with male and female farmers, including discussion on women's purchasing power;**
- **Introduced quota of women participating in facilitator and farmer training, and**
- **Build a network of female leaders in the cocoa sector through regional and national meetings.**

Trade

Trade is an area with clear opportunities for women but has not been used to its full advantage due to a lack of targeted support for women-owned businesses. With Vietnam recently joining the World Trade Organization (WTO) and participating actively in regional trade organizations, the legal framework for trade is transparent and accessible. The major institutions implementing the regime for trade policy, chiefly various offices within the Ministry of Trade and Industry, are substantially dominated by men at the highest levels, although women are increasingly represented. As in most areas, Vietnam does not generally keep statistics reflecting trade by women-owned⁹⁵ businesses, thereby missing the chance to spot differences and opportunities for targeted support. Women business owners are increasingly involved in trade, with services presenting a key opportunity for women who may take advantage of that sector's relative flexibility. Women owned businesses have been underserved by trade support institutions and have not had the same opportunities for trade promotion as businesses owned by men. The competitiveness that comes with trade liberalization also affects the more vulnerable economic sectors such as agriculture which have been dominated by women. Without the collection of sex-

⁹⁵ Women's Participation in Vietnam's Economy, USAID and BIZCLR, August 2010

disaggregated data, the government has not been able to target programming to help those sectors, and primarily women, be more competitive.

The opportunities remain, however, and fully participating in international trade through APEC, ASEAN and the WTO, can increase the opportunities for women to learn and grow their businesses. With the proper support for women entrepreneurs and women's participation in negotiations, trade fairs and other international opportunities, this is a growth area for women and for the economy.

Women's Economic Empowerment - International trade Open New Opportunities for Women

APEC has generated momentum in Vietnam on gender equality in trade and in other business-related fields.

"Within the Ministry of Trade and Industry it is felt that APEC had really helped in building the capacity of women and in heightening the issue of gender in trade".⁹⁶

APEC e-Business: Opportunities for Women in Vietnam

The booklet serves as a one-stop briefing center, providing information on the status of women's business and the progress being made in expanding e-business opportunities for women in the Asia Pacific region, including best practices and specific information and recommendations for Vietnam.

Enterprise Law

It is likely that the expansion in women's enterprises reflects the passage of the Enterprise Law (EL) in 2000. Prior to the EL, private enterprises were only allowed to operate if they complied with series of government approvals and controls. The EL simplified registration procedures so new enterprises could be registered in 7 days on average, down from 90. Subsequently, the number of new registrations doubled to 14,000 and then rose further to 21,000 in 2001. The gender composition of this expansion suggests that women benefit disproportionately from the simplification of registration procedures.

WTO Accession package

The WTO Accession package include information about the economic policies in place, the legal framework, the policies affecting trade in goods, trade-related intellectual property rights, policies affecting trade in services, and transparency provisions in additions to the schedules for goods and services. USAID, the National Committee for International Economic Cooperation, and the Support for Trade Acceleration (STAR) project published the entire set of documents, and they are available on the Ministry of Trade and Industry's Web site. The ready availability of these documents is an important factor for gender equality. This enables women business associations and entrepreneurs, especially those that are not as connected to large international business interests, access to the policies, laws, and schedules that affect trade for the country.

⁹⁶ Women's Participation in Vietnam's Economy, 2010, USAID

Commercial Justice

Since gender equality is a core legal principle in Vietnam, gender bias does not appear to be a barrier to the use of the formal dispute resolution process. In reality, however, few women use the courts or alternative dispute resolution (ADR) to resolve disputes. In Vietnam, there is a strong cultural aversion to engaging in a public dispute. Furthermore, most businesses in Vietnam do not generally use formal written agreements which necessarily results in informal dispute resolution. The work performed by two thirds of urban women-owned enterprises, and almost three-quarters of rural women's enterprises is done by the women themselves. Such small enterprises may not have the information or the resources they need to access the formal dispute resolution process. Furthermore, the amounts in dispute for such small businesses may simply not justify anything more than informal mediation. In most cases poor women, women in rural areas, and women in ethnic minority populations did not have adequate information about their legal rights.⁹⁷

Support for judicial reform is always a key priority of USAID since a strong, independent and effective judicial sector is critical for the development of rule of law and fair trade. USAID has worked in partnership with its implementing partner to increase the independence and effectiveness of the judicial sector, as required by the WTO/BTA agreements, by undertaking the following activities:

- Reforming judicial procedures in the Supreme Court and the National Assembly: results so far include the passage of the Civil Procedure Code, Administrative Procedure Ordinance, Judgment Enforcement Code that overhaul judicial procedures in Vietnam;
- Improving organizational structures of the court and the prosecution office. Part of this effort is the initiative to restructure/regionalize judicial operations and establish specialized judges/courts in IPR and international trade;
- Improving transparency in judicial operations and access to justice including publication of court decisions and the launch of the web portal,

Land and Asset Ownership

The reformulation in the 2003 Land Law allowed for the names of both husband and wife to be stated on the land title certificate (LTC). The Ministry of Natural Resources and Environment issued guidelines stating that land use titles issued before 2004 should be replaced with titles that clearly stated the name of both spouses. As a result, there has been a gradual increase in female-only and joint holders of land-use titles for annual agricultural and residential land across regions and household characteristics since 2004.⁹⁸

Access to institutional credit has diversified considerably in Vietnam and there are now provisions for both better off and poorer households. Landed property is the most valuable asset available and commercial banks generally require a LTC as collateral. The joint LTC has opened up access to bank loans for women who are not household heads as it allows both

⁹⁷ Women's Participation in Vietnamese Economy, USAID and BIZCLIR, August 2010

⁹⁸ Vietnam Country Gender Assessment, 2011, World Bank

husband and wife to conduct business with banks and for either one to borrow from the bank without authorization from the other⁹⁹.

Recommendations

- USAID is well poised to lead a dialogue on ‘Gender Equality in the Work Place’ among women’s rights advocates, government, labor unions, and business leaders from Vietnamese and American companies. The dialogue should cover topics such as how gender equality can advance business and how sexual harassment and discriminatory practices at the workplace are disadvantaging women in the Vietnamese context. USAID could start by conducting further research in this area and present a ‘business case’ for gender equality as well as present examples of corporate policies worldwide that have integrated gender equality.
- To bridge the gap between policy and action, USAID could consider partnerships with Vietnamese and American companies on a number of initiatives, for instance USAID could initiate a sexual harassment program; programs that promote equitable career paths for men and women including hiring, recruitment, and advancement; and retention programs to make it easier for young women to remain in the workplace while still supporting family life and redistributing household responsibilities.
- USAID could also partner with academic institutions to build the capacity of the youth to become tomorrow’s advocates. Business schools should be at the forefront of promoting gender equality in the workplace, and should ensure that women students are encouraged to pursue management courses and training, and students in all management courses receive training on creating gender-sensitive workplaces
- Female entrepreneurs could benefit from international best practices, learning and expertise in the area of trade and private sector development. To promote overall entrepreneurship and meet the specific needs of female entrepreneurs, USAID should encourage the GOV and business associations to participate closely in and benefit from international and regional trade organizations that have gender expertise, such as the APEC .
- USAID should also consider scaling up programs that improve the income among poor female farmers and ethnic minorities, such as the USAID “Sustainable Cocoa for Farmers”. Programs could be expanded to include skills training and training in areas like English language and communication, basic computer skills and soft skills such as networking and negotiation.
- USAID’s involvement in the development of the Law on Laws under the STAR project, which requires ministries to gather public comment on draft laws and in the drafting of 150 trade-related laws, of which 115 have been adopted, puts USAID in a strategic position to advocate for a gender perspective in the economic policy framework. USAID should ensure that relevant women’s organizations such as the VWU, women’s business associations, business associations that handle sectors that are predominantly female and those that have a high percentage of women run businesses are informed and have an opportunity to provide comments on new laws and policies. Future activities of the STAR project could potentially incorporate gender perspective.
- USAID should support the work of women’s organizations to educate their members about their rights under the law, and support their efforts to advocate for meaningful action on legal

⁹⁹ Ibid.

reforms. An important issue for early advocacy should be the mandatory retirement age for women.

- Ensuring a gender perspective in the design and implementation of different types of social protection policies and programs is another urgent area where women's organization need support.
- The lack of sex-disaggregated data in all economic sectors is limiting the development of effective policies and programs for women. USAID supported the first Provincial Competitiveness Index. USAID should seek to incorporate the sex of respondents in the PCI so that information received can be analyzed for important gender-related trends and used for planning.

Education

“Education is a powerful tool for reducing poverty and redressing inequality, improving health and social well-being and creating a foundation for sustained economic growth.”

Fact Sheet: USAID Supports Gender Equality and Women's Empowerment, March 2009

Vietnam's literacy rate for those over 15 years old is over 93.5%. In recent years, there has been a sharp decline in the gender gap between literate men and women, falling from 10% in 1989 to 4.4% in 2009.¹⁰⁰

Women have made major gains in educational enrolment, but are still highly segregated in particular fields. The gender gap in primary school has been eliminated and women have caught up and even surpassed men in terms of attaining college degrees. However, gender disparities still remain by ethnicity and location, with lower educational outcomes in rural and mountainous areas, especially among ethnic minority girls and women. Distance to schools, language of instruction, persisting gender stereotypes and lack of gender sensitive and locally relevant curricula and teaching methods and a lack of qualified female teachers are key concerns.¹⁰¹

Educational materials still promote gender stereotypes. There are concerns about the gendered content of the education curriculum and the extent to which it equips girls and boys for capacity to take advantage of new opportunities and aspire to achievements beyond those dictated by persisting gender stereotypes.¹⁰²

The under-representation and poor retention of female students in math, science, innovation and technology courses is a global phenomenon. The already low number of female students enrolling in science is usually further decimated by high attrition rates. While some studies have found the lack of gender balance in the course, sex of the lecturers and tutors and gender biased course curriculum as factors, other studies suggest that female students do better when female

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Ibid.

peers are available as a vital source of both academic and personal help, as is the roles of teachers to persuade students to stay.¹⁰³

Although women hold half of the Bachelors' degrees, only 11% of those with a Doctorate or Masters' degree are women. There are no women leaders in leadership positions in academic institutes, women earn only half of their male colleagues, and only 20% of appointed professors and associate professors are women.¹⁰⁴

A study by IFS on its Vietnamese grantees found a number of interesting differences between men and women scientists in terms of career support. Priorities for women scientists compared to men included 1) Support to publish scientific articles (65% vs 47%), 2) Special support programs to women scientists (61% vs 12%), 3) Support to attend scientific conferences (57% vs 69%), 4) Provision of access to up-to-date scientific journal articles (52% vs 67%), 5) Support to attend scientific workshops (43% vs 51%) 6) Support to visit a foreign research institution (39% vs 67%) and Support to organize regional networks of scientists (39% vs 24%). The study concluded that "IFS [female] Grantees earn less income from their scientific work, have less research funding, spend less time abroad in training, publish less, and are not promoted as often as men. This is not a reflection of women's talent but rather of a scientific and socio-cultural system that does not fully take advantage of the capacity of women scientists. Unfortunately, this pattern is not unique to Vietnam."¹⁰⁵

To empower women and to provide them with access to quality higher education, USAID, in 2012, in partnership with Arizona State University, launched the "Support Vocational Female Technical Students" Scholarship Program that provides up to 120 scholarships annually to young women to pursue education opportunities in vocational colleges. The scholarship program has a total value of up to VND 2.4 billion and will run for three years from 2012 to 2014.

Recommendations

- USAID should support national forums that build social capital of women academicians, scientists and innovators.
- USAID should work with the GVN and the Arizona State University to strengthen the protective environment for women in higher education.
- USAID should develop job placement and mentoring programs for women after graduation from USG supported education programs.

¹⁰³ Miliszewska I Barker G, Henderson F & Sztendur E. (2006). The Issue of Gender Equity in Computer Science – What Students Say. *Journal of Information Technology Education* Vol 5, 107-120.

¹⁰⁴ Ibid.

¹⁰⁵ International Foundation for Science. Science in Vietnam An assessment of IFS grants, young scientists, and the research environment. Eren Zink. MESIA Impact Studies, Report No. 9. 2009

Global Climate Change

“The gender inequalities that define [women’s] lives prior to a disaster are really what put them at such greatly increased risk after a disaster.”

Kavita Ramdas, Global Fund for Women¹⁰⁶

Climate change is expected to affect 5% of Vietnam’s land area and 11% of its population.¹⁰⁷ The GVN and donors have both identified climate change as a national priority with a national strategy and a National Target Program being a major focus for attention and funding in the next five year period and there is increased awareness of the impact of climate change on the sustainable development of communities. Examples include, the National Target Program to Respond to Climate Change (NTP-RCC 2008), the National Strategy on Climate Change (2011) and the National Strategy for Natural Disaster Prevention, Response and Mitigation to 2020 (2007), which acknowledge the importance of gender equality in the context of climate change. These policies are considered to be an important basis for mainstreaming gender, but are yet to be translated into action. For instance, the action plans for NTP-RCC by line ministries and provinces are not been specifically mandated to address gender equality in GCC adaption.¹⁰⁸

Sensitivity to climate change varies among groups and is particularly strong amongst poorer, rural women, including those from ethnic minorities, who tend to rely on natural resources and climate-sensitive livelihood activities (the majority of rural women, 64%, are engaged in agriculture vs. 53% of men).¹⁰⁹ Climate change adds to water insecurity, which increases the work load of women involved in small scale farming, as they spend more time and effort on land preparation, fetching water, watering and protecting crops from disease.¹¹⁰

Climate change also increases energy poverty. Biomass is a major source of energy for cooking and heating for the majority of rural households in Vietnam. Women are the primary collectors of biomass. The enrollment of girls in education and participation of women in economic activities, especially in energy-based income-generating activities such as small-scale food processing, could be enhanced by improving their access to modern energy services.¹¹¹

Women have fewer opportunities to mobilize resources for disaster preparedness and rehabilitation. For instance, Vietnamese women hold title on 20% of Land Tenure Certificates versus 62% of men and 18% for joint land holders (VHLSS 2008). Having less land rights limits women’s access to credit for diversifying income sources and for recovery from loss.¹¹² Women

¹⁰⁶ International Museum of Women: Exhibiting Change. (2009). “Swept Away: Women and Natural Disasters”, Women, Power and Politics, Online Exhibition. <<http://www.imow.org/wpp/stories/viewStory?storyid=1237>>.

¹⁰⁷ Helen Clark (2008). “Heeding Climate Change Warnings”, IPSNews

¹⁰⁸ Policy Brief: Gender Equality in Climate Change Adaption and Disaster Risk Reduction in Vietnam, UN Vietnam and Oxfam, 2012

¹⁰⁹ Ibid.

¹¹⁰ Responding to Climate Change in Viet Nam: opportunities for improving gender equality. A policy discussion paper, 2009 UN Viet Nam and Oxfam

¹¹¹ Energy and Poverty in Vietnam: challenges and the way forward, 2007, UNDP

¹¹² USAID Gender Policy

also have fewer prospects to acquire new skills and awareness to cope with natural disasters. Female headed households tend to be among those with least resilience. In addition, domestic and sexual violence tends to increase following a natural disaster.¹¹³

There is a lack of recognition of women's roles and contribution to disaster preparedness and management.¹¹⁴ Women's participation in decision-making in local formal political and management structures remains low, which has implications for the ability to respond to disasters in a gender sensitive way. For instance, women's involvement in local Committees for Flood and Storm Control is limited to child-care and food distribution; women tend not to be involved in decision-making.¹¹⁵ Many post-disaster recovery activities tend to focus on renewal of existing activities rather than more transformative changes that would increase resilience to future disasters, as well as they perpetuate and augment existing gender-based inequalities.

Women in Vietnam are dynamic actors in climate change adaptation (CCA) and disaster risk reduction (DRR). Their gender-defined roles, concerns and contributions in households, communities and the work place, should be recognized and reflected in related policies and actions.

There is an urgent need for awareness raising and capacity building on gender equality and women's empowerment aspects of CCA and DRR in the country¹¹⁶. This awareness should be translated into political commitment and financing for suitable actions that ensure gender sensitive CCA and DRR.

Vietnam puts high priority in the development of new and green technology. Technological innovations can change gender relations and more analysis is needed to ensure that women benefit equally. For instance, tackling energy poverty through biogas production can particularly benefit women, but it should not be assumed that the changes instituted are all positive: women's time saved by biogas digesters does not necessarily reduce their overall workloads, because they often take on other work in the hours saved.¹¹⁷

Policy and program planning, financing, implementation and monitoring procedures should allow for the integration of gender equality and women's empowerment principles in DRR and CCA across sectors and at all levels. A multi-stakeholder approach is essential that involves gender expertise, women and men, other groups often marginalized, as well as representatives from government, civil society, the private sector and the broader development community.

¹¹³ PCG Natural Disasters and Emergencies, (2011), Annual Report 2011

¹¹⁴ Ibid.

¹¹⁵ Policy Brief: Gender Equality in Climate Change Adaption and Disaster Risk Reduction in Vietnam, UN Vietnam and Oxfam, 2012

¹¹⁶ UNDP, UN Women, Oxfam GB and UNISDR (2011), *Policy Brief: Gender Equality in Climate Change Adaptation and Disaster Risk Reduction in Vietnam*.

¹¹⁷ Ibid.

Recommendations

- USAID should ensure that gender concerns are integrated in USAID programs that support clean energy development, sustainable land use practices and other CCA and DRR interventions (“Vietnam Clean Energy Program’ and the ‘Vietnam Forest and Deltas Program’).
- Gender should be taken integrated throughout the lifecycle of the programs, starting with gender sensitive data collection. In the design and implementation of activities and technical trainings, USAID should ensure that gaps between men and women in terms of use, access, participation and benefits are reduced. When performing social impact analyses of programs and policies, a gender lens must be included. All people level indicators used for performance management should be sex-disaggregated.
- USAID should ensure a gender equality perspective in the provision of capacity development services to government officials. USAID should also actively promote women’s participation in policy and decision making at all levels of climate change adaptation and disaster risk reduction, by advocating for their representation in relevant CCA/ DDR committees and meetings.
- In promoting new technologies, USAID should consider potential positive and negative impacts of new technologies on gender relations; and ensure women can realize the potential benefits and that gender inequalities are not exacerbated by the introduction of new technologies.
- USAID should also promote investments in modern energy services and livelihood diversification for rural women to reduce their dependency on natural resources. USAID could work with the private sector and financial institutions in this regard.
- USAID could furthermore consider setting targets for working with women-owned or managed enterprises, to increase the relative percentage of women (compared to men) with skills in clean energy topics.
- USAID should support the work of academic institutions in improving the research base on gender and climate change. USAID could consider disseminating best practices of gender equality in CCA and DRR that can be used as evidence- based information to inform policy/decision-makers.

Conclusion

The Gender Analysis highlights key gender inequality and women's empowerment issues, challenges and strategic choices USAID/Vietnam can consider during the development of its CDCS and subsequent gender responsive programs and policies. In doing so, the Mission will have begun to operationalize USAID's 2011-2015 Gender Equality and Women's Empowerment Framework and the guiding principles included in the figure below:



As required in Automated Directive System 200.3.1.1, USAID/Vietnam must promote gender equality and female empowerment by mainstreaming gender systematically throughout its programs and projects, performance monitoring and evaluation systems, and procurement instruments. In practice, this means the following:

- Ensuring that programs explicitly and deliberately seek to eliminate gaps between the status of males and females;

- Ensuring that the different roles, responsibilities, and expertise of women and men are reflected in project design, implementation, and evaluation;
- Ensuring that women and men are full and equal partners in consultation, planning, program and project design, and implementation and evaluation;
- Leveraging the expertise and leadership skills of women and girls; and
- Developing Performance Management Plans (PMPs) and evaluation methodology that includes sex-disaggregated indicators.

In 2011, the State Department issued a set of seven gender equality and female empowerment indicators (‘the F Indicators’) for reporting on programs that aim to reduce gender inequality, including GBV, and enhance women’s empowerment. Recommended F Indicators for inclusion in the Mission’s CDCS Results Framework and/or PMP are:

- GNDR-1 Number of laws, policies, or procedures drafted, proposed or adopted to promote gender equality at the regional, national or local level
- GNDR-2 Proportion of female participants in USG-assisted programs designed to increase access to productive economic resources (assets, credit, income or employment)
- GNDR-3 Proportion of females who report increased self-efficacy at the conclusion of USG-supported training/programming
- GNDR-4 Proportion of target population reporting increased agreement with the concept that males and females should have equal access to social, economic, and political opportunities
- GNDR-6 Number of people reached by a USG funded intervention providing GBV services (e.g., health, legal, psycho-social counseling, shelters, hotlines, other)
- GNDR-7 Percentage of target population that views gender-based violence as less acceptable after participating in or being exposed to USG programming

USAID/Vietnam will need to consider how activities reduce specific gender-related gaps. For example, rather than reporting on the number of participants (disaggregated by sex) attending a specific training or community outreach activity, the Mission could consider monitoring change in the proportion of men/boys and women/girls attending those activities over time. Given the Mission’s commitment to inclusive development, additional disaggregation may be desired, possibly including the ages of the participants to ensure youth are involved or by ethnicity to ensure marginalized segments of society are engaged.

To serve as a thought leader and to contribute to the broader Agency learning community on gender and women’s empowerment, the Mission could work in partnership with USAID/Washington to document lessons learned and best practices for sharing with other Missions as USAID globally seeks to reduce gender gaps and empower women and girls.