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# Report

On the

## **Gender equality situation in Vietnam**

For Designing regulations of Gender Equality Law

Vietnam Women's union  
February 2005

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## Abbreviations

VWU	Vietnam Women's Union
NCFAW	Commit
TPHCM	Ho Chi Minh city
UNIFEM	United Nations Development Fund for Women
UNICEF	United Nations Development Fund for Child
CEDAW	Convention on eliminating all forms of discrimination against women
CEDAW-SEAP	CEDAW-Southeast Asia Program

### List of provinces/cities

1. Ha Noi capital
2. Ho Chi Minh city (Representing the city of State)
3. Hung Yen province (Representing Red River Delta)
4. Thai Nguyen province (Representing the North East area)
5. Dien Bien province (Representing North East area)
6. Quang Binh province (Representing the North Central area)
7. Quang Ngai province (Representing the Central coastal area)
8. Dak Nong province (Representing Central High land)
9. Binh Duong province (Representing South east area)
10. Ca Mau, Tien Giang province (representing the Mekong Delta River).

## ACKNOWLEDGEMENTS

This report was prepared by Law and Policy Department, The Vietnam Women's Union (VWU) on the basis of Gender equality situation assessment results in 11 provinces/cities representing different regions and areas throughout the country as well as cities at central level.

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## General Introduction

1. Since Vietnam embarked on the renovation course, enormous changes have been seen in many fields, one of which is gender progress achievement that affects women and their lives. Despite this achievement in Vietnam's legal system, the gender gaps have been persistent due to traditional ideology of men's and women's roles:

First, as clearly spelled out in the Comprehensive Poverty Reduction and Growth Strategy, Policies, laws and regulations on gender equality are sufficiently adopted but not strictly enforced. The ignorance of the law and the limited capacity of the implementing and/or enforcing agencies is one of the major reasons underlying for the non-realization of what was intended. Little knowledge and awareness of legal rights by the population are mainly resulting from their limited educational level and lack of learning opportunities.

Accessibility to legal support and services of the poor, including women is also severely limited. The disparities, contradictions and inconsistencies within the existing laws and regulations still exist; Due attention has not been paid to observing and applying the righteous position of "priority" and "equality" in the process of planning and implementing any policy. For instance, the retirement age set at 60 for men and at 55 for women, while debated at the National Assembly for some years has not been settled to date.

Second, since Vietnam introduced a market economy, gender gaps and disparities emerge in many aspects and specific gender needs are to be addressed. While priority is given to the implementation and enforcement of the new labor code and social security law, the emerging issues may include the solution to unsafe working conditions, and work practices in the economy, social insurance for female workers and its gradual extension to the informal sector, and promotion of

occupational safety and health in the informal economy. The benefits of the market economy should not be accrued at the expense of the weaker and vulnerable segments of the population. Other growing issues related to discrimination such as trafficking in women and children, migration, gender-based violence, gender dimensions in HIV/AIDS while addressed under the relevant laws are not dealt with in a comprehensive and unified manner.

Third, the effective introduction and execution of laws depend largely on the implementation and enforcement system/structures and procedures. However, none of the agencies has been assigned a clear role to monitor whether the laws and regulations are adhered to protect women's rights or to enforce gender equality under the law. None has been assigned the mandate to determine whether the new laws and regulations are in compliance with the principles of gender equality and non-discrimination.

2. For the above-mentioned points, a legal initiative was proposed by Vietnam Women's Union and accepted by the 11th National Assembly. At the fourth Plenary (November 2003), National Assembly adopted a resolution on supplementing the development of the law on gender equality into the law programming 2004 and assigned Vietnam Women's Union to take a leading role in drafting the law.

As an agency taking a leading role in drafting and submitting the law, Vietnam Women's Union is profoundly aware of its responsibility for the advancement of women and the gender equality issues. Simultaneously, Vietnam Women's Union realized that the promulgation of any law or legal regulations of any area in the society is very difficult, and it gets more and more difficult to develop a law on gender equality since it is associated with gender and gender quality issues, which are

incomprehensively and inadequately known or even not known at all by the majority of public. That is why Vietnam Women's Union determines that development of the law is to help raise awareness and knowledge of gender and gender equality for majority of women staff, policy makers and Vietnamese people. And the promulgation of the law on gender equality would create conditions for women to fully and equally participate in and benefit from all aspects of political, economic, cultural and social spheres of life; helping remove barriers to realization of women's rights through changing attitudes, behaviors and practices of gender-based discrimination, promoting the effective implementation of existing laws and regulations, raising awareness and knowledge of their rights for women, etc. All these make contributions to implementing one of the social and poverty reduction targets under the Comprehensive Poverty Reduction and Growth Strategy.

3. To execute the National Assembly's Resolution on development of the law on gender equality, the Drafting Committee headed by Madam Ha Thi Khiet, Member of Central Party Committee, President of Vietnam Women's Union, Chairwoman of National Committee for Advancement of Vietnamese women. The committee is comprised of the Vice President of Vietnam Women's Union (Vice Chairperson), Vice Minister of Justice (Vice Chairperson), and Vice Ministers of the Ministries of Education and Training; Labor-War invalids and Social affairs; Agriculture and Rural Development; Deputy Chief Justice of the People's Supreme Court; Deputy Director of Law Department of National Assembly; Standing Member of National Fatherland Front and Permanent Secretary of NCFAW office. A 12- member working group of which members are department officials and officers drawn from the same ministries and agencies is headed by Standing Vice Chairperson of the Drafting Committee. Vietnam Women's Union officers are standing members of the working group.

4. Assessment of the current situation and policy analysis of gender equality is considered as indispensable and great significant inputs to identify basic issues of the law on gender equality and firm foundations to defend successfully the proposed issues in the Gender Equality Law. It is also an important basis for drafting the law in accordance with technical requirements under the state law development process and procedures. To that end, Vietnam women's Union's proposal of "assessment of the gender equality situation in Vietnam" is very important, crucial and imperative for drafting the law toward the common development goal, creating strong impetus, suitable with the current conditions, highly feasible and effective in the society.

5. In order to reach assessment objectives, apart from gathering and analyzing available data and research, gathering information on gender equality is also carried out in regions, areas and big cities by participatory sociological methodology.

In reality, gender and gender equality have been perceived in different ways which are related to all fields of the society, to the family and to all individuals so that special importance will be attached to qualitative information rather than quantitative ones, which are collected via seminars, interviews and group discussions.

Characteristics of correspondents:

**By sex:** 1,654 people participated in questionnaire-based interview, panel-discussion, group discussion, out of whom 45.3% are men, 54.7% women

In reality, the rate of female respondents is 9.3% higher than male while the expected rate is fifty-fifty. The fact reveals that it is

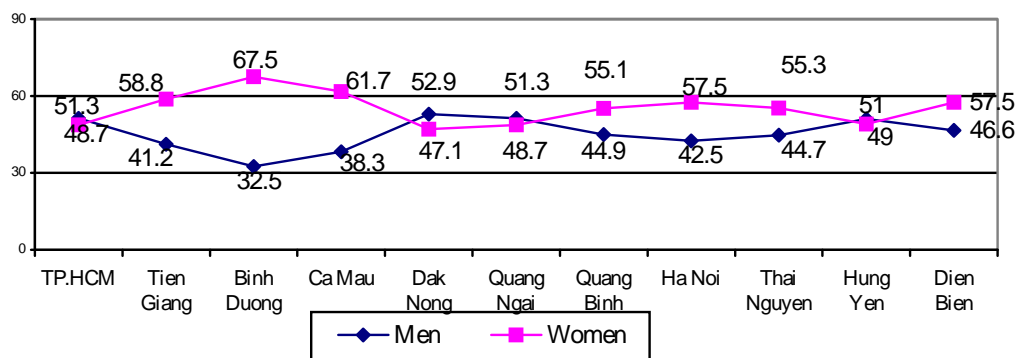


commonly acknowledged "gender" as "women".

In contrary, the fact that the rate of women participating in the seminars and group

discussions is 4.5% lower than men shows that female managers and leaders are undernumbered against male.

Chart 1: Male and female respondents by location (%)



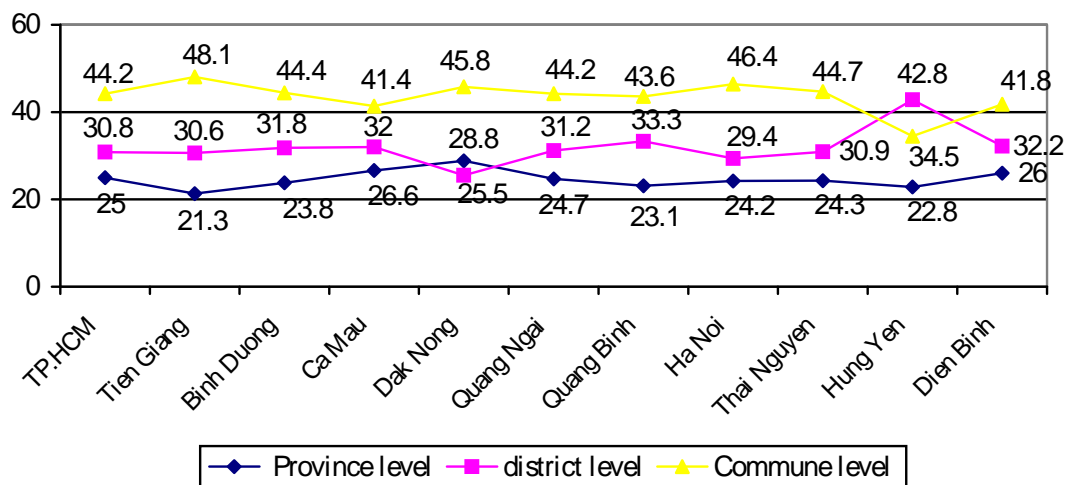
The chart 1 shows that such difference mostly concentrates in the provinces of Tien Giang, Ca Mau, Binh Duong, among which biggest difference is in Binh Duong province with 35% of women higher than men. It is mainly attributed by majority of respondents are laborers working in factories where women occupy two third.

In the Central and West highland regions, the difference is very small, for example 15%, 1%

in Hanoi and Hung Yen respectively. Hung Yen is also the only province among 11 which nearly meet the expectation for this assessment.

- **By location:** 31.9% of respondents are working and residing in communes (46% men and 54% women); 36.2% in districts (46.4% men, 53.6% women) and 31.9% in provinces (42.6% men, 57.4% women).

Chart 2: Respondents by location (%)

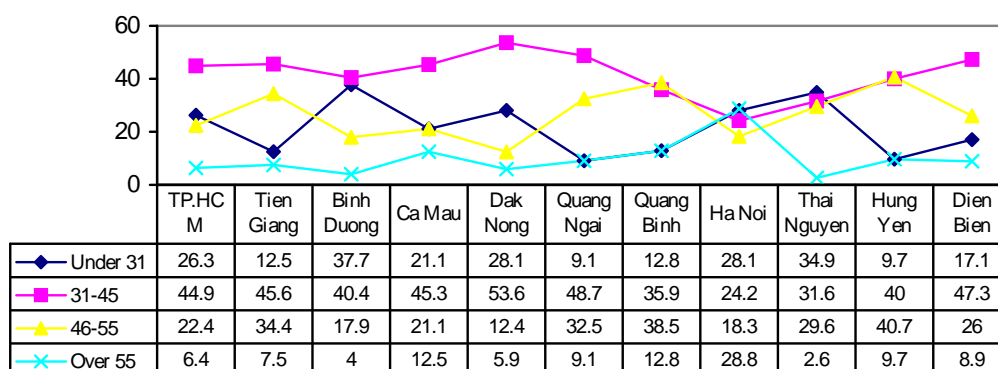


The chart 2 shows that the number of information providers at the communal level is higher than providers at district and provincial levels since the expected rates for the information providers at provincial, district and

communal levels are 20%, 30% and 50% respectively.

- **By ages:** 0.3% did not answered; 21.6% under 30 years old; 41.5% between 31-45; 26.8% between 46 – 55 and 9.8% above 55.

Chart 3: Age of information providers by locations (%)



The chart 3 shows that the rate by age within and among localities is different. In general, most provinces are at the age under 45. In Binh Duong, the respondents under 31, who are single workers, occupy 37.7%. In Thai Nguyen, the respondents of this age 34.9%, who are civil servants that occupy 36.4% of the respondents. The age above 55 are in Hanoi with 28%. In other locations, especially in the Central and West highland regions, the rate is more equal than the remaining locations.

- **By level of education:** 0.7% did not answered; 2.3% are illiterate, 9.7% got primary education; 23.1% got secondary education; 24.7% high school graduate; 13.8% intermediate level; 3.8% junior college graduate; 21% university graduate; 0.9% postgraduate education. Majority of people have intermediate education or higher are public officers, staff and workers.

Following table is education levels of information providers by location

Table 4: Education of information providers by participant (%)

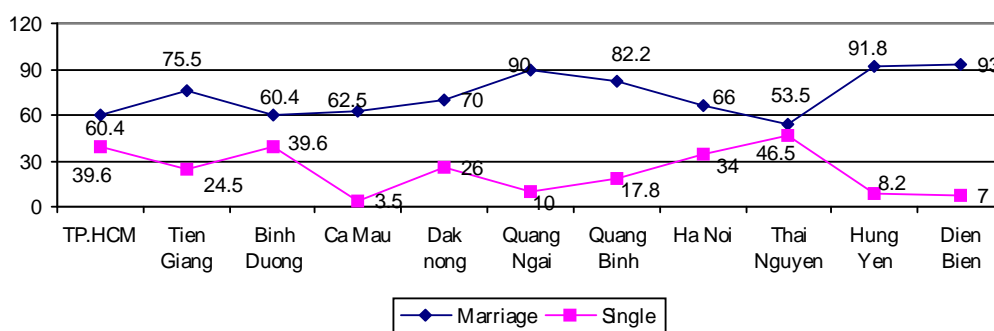
	Illiterates	Primary education	secondary education	high school	Intermediate education	junior college	University graduate	Post graduate
HCM city	0.6	25	17.3	25.6	5.8	1.9	22.4	1.3
Tien Giang	0	10.6	25.6	28.8	15.6	3.8	14.4	0.6
Binh Duong	2	10.6	28.5	31.8	13.9	0.7	10.6	2
Ca Mau	0	18	35.2	18.8	13.3	3.1	11.7	0
Dak Nong	11.8	20.3	15.7	18.3	8.5	2.6	21.6	1.3
Quang Ngai	0.6	4.5	22.7	35.1	16.2	3.9	15.6	0.6
Quang Binh	1.3	5.1	25.6	28.8	17.9	3.8	17.3	0
Hanoi	0	0.7	6.5	20.9	13.7	5.2	51	13
Thai nguyen	0	0.7	22.4	28.3	13.8	8.6	21.7	2
Hung Yen	20.7	13.1	3.1	17.2	13.1	2.1	2.1	20.7
Dien Bien	6.8	11	20.5	9.6	13	4.1	32.2	6.8

The table 4 shows that in each province, the rate of people with high school and university education is higher than other education levels. Especially, the number of illiterates is quite high, for example Hung Yen (20.7%), Dak Nong (11.8%). The rate of people with primary and secondary education is also high, especially in Ho Chi Minh city 17.3 – 25% while the number of university graduates is small.

- **By marital status:** 0.4 % did not answer; 26.2% are single (among of whom 34.6% are men, 65.4% are women) and 73.4% are married (34.6% are men, 65.4% are women).

This assessment not only focuses on the married people but also single ones are because gender is not only manifested in family but also in all areas. Many of the single people reside in the Northern provinces:

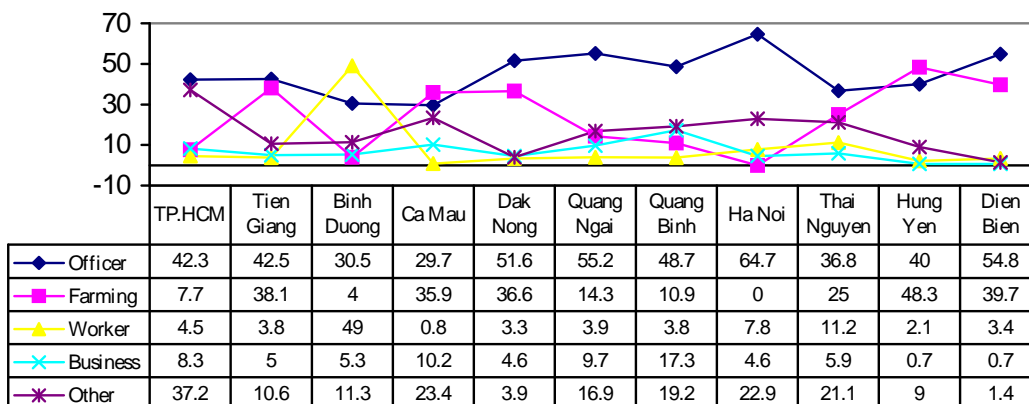
Table 5: Marital status of information providers by location (%)



The table 5 shows that singleness due to unmarried, widowhood, divorce, judicial separation is high in Thai Nguyen (46.5%); Ho Chi Minh city (39.6%); Binh Duong (39.6%), Hanoi (34%). The province with highest rate of married respondents is Hung Yen (91.8%), then Dien Bien (93%), and Quang Ngai (90%).

- **By occupation:** 45.4% are public staff, officers; 23.3% farmers; 8.6% workers; 6.6% running their own business and 16.1% assuming other occupations such as housewives, retired people, students, pupils, aging people...

Table 6: Profession of information providers by location (%)

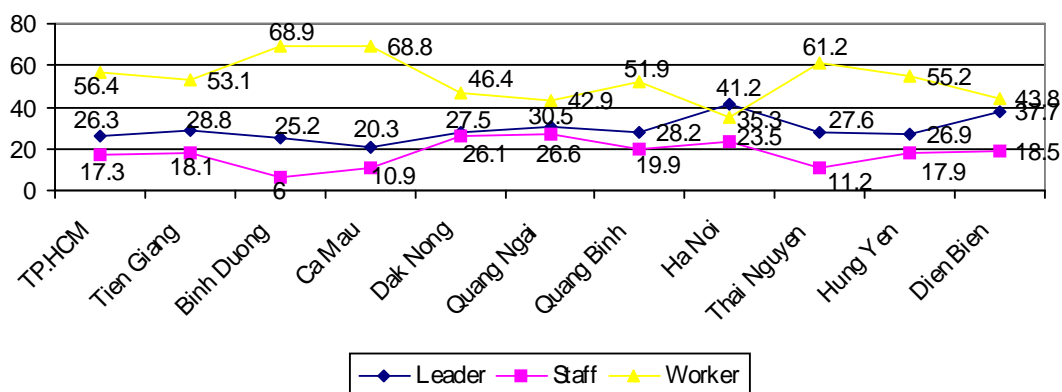


The table 6 shows that public staff, officers account for the highest rate in almost all of provinces, Hanoi (64.7%) and Ca Mau (29.7%). Following is the occupation of farmer (Hung Yen is the province with highest rate of

48.3%), and the occupation of worker (Binh Duong with the highest rate of 49%)

- **By position/job title:** 29.2% of people are leaders at all levels, 18% are officers; 52.8% are workers.

Table 7: Position of information providers by location (%)



According to the table 7, Hanoi has the highest rate of information providers who are leaders (41.2%) against 38% in other provinces. The workers occupy the highest percentage in most of the provinces. In many provinces, the respondents as

workers occupy above 50%, namely Binh Duong (68.9%); Ca Mau (68.9%); Thai Nguyen (61.2%); Ho Chi Minh city (56.4%), Hung Yen (55.2%); Tien Giang (53.1%), Quang Binh (51.9%).

## KNOWLEDGE OF GENDER EQUALITY AND RECOMMENDATION ON DESIGNING GENDER EQUALITY LAW

### KNOWLEDGE OF GENDER EQUALITY

#### 1. The conception on Gender equality.

Conception of information providers of gender equality is different regardless of their positions, occupations, age, location and sex, etc. There are 3 flows of basic opinions:

***- Gender equality means men and women are equal in all fields***

This viewpoint is raised by government officers, farmers, workers, pupils, students, especially from people who attended the training course on gender and improvement of gender awareness.

As clarification, they explained that gender equality means men and women are equally recognized by the society, having equal education background; being sympathy and sharing to each other, mutual caring for their house works and social activities.

Gender equality means there is no discrimination between men and women in politic, social-economic, cultural areas and in family. Both men and women are equal to opportunities, interests and responsibilities. All people are enabled to promote their abilities. All house works whether they are small or not in family need to be shared, discussed among family members to come to agreement, regardless of women or men-dominant works. People should mutual respect and help each other, no separate and specific work is done by women or men. Women and men are equally paid for same work of equal value.

They also think that gender equality doesn't mean absolute quantity and ratio. In each family, the gender equality is the voluntarily agreement on any work by all family members.

***- Gender equality means there should be differences between men and women.***

This opinion is expressed variously among target groups, including those who used to participate in or have not yet participated in the training courses on gender and issues relating to gender.

The arguments were given prove that women and men are the two halves of the world. Thus, there is no discrimination between men and women. However, in each development stage of the society, there is still a limitation towards women. So gender equality is how to make women's role in society, working places and in family to be corresponding to a position of a human being.

Gender equality does not mean what men do can be done by women. Equality is confined in some of the areas rather than all. As respecting and gender-based work division in the family, women could not be equal to men in doing heavy works. Women's functions should be promoted, men only play a role as supporters. Equality means women and men can freely choose their occupation that is suitable for their abilities, etc.

Noticeably, some held that for equality, women must assume some other criteria such as loyalty and right awareness of gender equality for women. Equality depends on sex.

***- Gender equality is equality for women***

This opinion is expressed by free-lance workers who do not access to basic knowledge of gender and gender equality.

As their knowledge, the priority is reserved for women rather than men as women face more disadvantages in comparison with their contribution to family and society. Equality between men and women firstly means women empowerment. Men should create conditions for women to play a position in society, encourage rather than look down on them. Women can do well the works that

before men believed are not for women and women can not do.

Gender equality is that men should create good conditions and environment for women to do any work, study for improvement of their awareness and knowledge, and grow in all areas so that women can enjoy equal rights as men. Leaders should show sympathetic with female employees for appropriate work allocation since women spend more time in taking care of their families, etc.

Gender equality is to create good conditions for women at work, no prohibition, no constraint imposed on women, especially in child birth regardless son or daughter; women has the right as motherhood.

There is also another opinion that gender equality should base on the specific condition and situation. Women bear reproductive and child-bearing functions; men bear functions as bread-winners

### **- Other conception:**

Apart from the 3 above-mentioned points of views, there is also a mixed opinion but in general it covers the 3 above-mentioned conceptions and awareness on gender equality, and there is no clear distinction.

This opinion is represented by all target groups regardless of age, occupation and educational levels.

All opinions affirm that gender equality means there is a limit in family, physic and spirit. Equality exists in the certain limitations, "you do your job and I'll do mine". Men must do harder works and lighter works are done by women, the housework should not be done by men. Men are bread-winners of the families and they need to be stronger.

Gender equality is equality before law, men and women benefit from all policies in respond to their works. Besides, men and

the society should pay more concerns for women.

Gender equality also means conception of male superior and female inferior doesn't exist. It means equality in responsibilities, rights, duties. It does not take account specific works, and does not mean the same amount of work. Women have to assume special functions, they will be aware of their own right of equality upon specific areas or conditions.

51.6% respondents said that gender equality was realized in their localities. 27.3% from agencies had the same idea. However, justification for this point of view does not reflect their knowledge of gender equality that means men and women are equal in all fields. In fact, there is a mixture between the above opinions; *for example: women do well the house works, men earn money. Both men and women work and study. Men do heavy works, women do the lighter works. Women do well social works and men do well works of the authority.* It shows that there remain gender disparities in reality.

33% of the opinions confirmed the existence of gender inequality in their localities. 5.7% said there was no gender equality in their agencies, offices. Hung Yen and Dien Bien provinces have higher ratio than the others from 9% - 33%. The ratio in the North is higher than that of the south and the central (around 12%). In the South, this rate in Ho Chi Minh city is 3-18% higher than other provinces. In the central, Quang Ngai has higher rate about 17%. In the North, this rate is approximately 2-14.6% higher than Hung Yen and others.

## **2. Awareness on gender equality**

53.8% said the male superiority still exist, mostly through the preference of having a boy to girl (41.7%); doing house works and looking after children as women's works (39.9%); division of more inheritance property

for boy than for girl boy (30.9%); women's responsibility for application of contraceptive methods (29.7%); more attention to and investment for the son (27.3%); men's responsibility for making money (24.1%); requesting daughter to do more work than boy (16.3%); unwilling to recruit women to agencies, organizations (12.3%); These show that gender inequality is diversified.

The ideology of male superiority than female is everybody's thinking regardless of religion, ethnic and marital status (76.4% from religionless respondents; 85.3% from Kinh respondents and 76.1% from married respondents). Especially, this opinion not only exists among workers, but also among leaders (16.4%) and staffs, officers (15.7%).

The ideology male superiority exists in diversified ways by locality:

- *Preference of boy to girl:* above 45% respondents in Quang Ngai, Hanoi, Thai Nguyen, Hung Yen and Dien Bien; especially Hung Yen 64.9%. The province with lowest rate of respondents of this alternative is Binh Duong (15.6%) .
- *More attention and investment for the son:* Hung Yen has the highest rate of 40.8%. The provinces which has the rate from 30% to 40% are Dien Bien, Quang Ngai and Ca Mau. Other cities/ provinces take the rate under 30%, lowest rate is in Binh Duong of 13.5%

- *Asking daughters to do more works than sons:* The highest rate is in Dien Bien (27%). Others have the rate under 27%, among which Binh Duong records the of 5.2%. The similar rate is between Hanoi and Ho Chi Minh city though the location is different (Ho Chi Minh is 15.8% in suburb), Hanoi is 14.6% in city).

- *Dividing more inherit property for son than for daughter:* The highest rate of 50% is in Hung Yen and Dien Bien 48%. The provinces has rate from 30% to 48% including Tien Giang, Quang NGai, Quang Binh, Hanoi and Thai Nguyen.
- *No recruiting of female employers in agencies, offices:* 23.5% is the highest rate and it is in Hung Yen. Dak Nong is the only province has no idea. Binh Duong has the rate of 4.2% because the researched location has many industrial zones, and majority of workers are women.
- *Doing housework and raising children are women's job:* Ho Chi Minh city, Quang Ngai, Quang Binh, Hanoi, Hung Yen, Thai Nguyen, Dien Bien has the rate from 40% and above. In which Hung Yen holds the highest rate of 58.8%. Binh Duong has the lowest rate of 15.6%
- *Women's responsibility for application of contraceptive methods:* Hung Yen has the highest rate of 46.9%. The provinces have the rate from 30% to 46.9% including Dien Bien, Quang Ngai, Dak Nong, and Quang Binh. Hanoi and Ho Chi Minh city get the rate about 30%.
- *Men's responsibility for making money:* All 11 provinces hold the rate under 30%, in which highest is Quang Binh 29.9%. The lowest is Thai Nguyen 20.2%

The analysis shows that among 11 cities/provinces, Hung Yen is the province which has the highest rate of male superiority . Binh Duong is the province which has the lowest rate in any opinions. The reason is that Hung Yen is a 100% agricultural province, the only flat province in the country which does not



have mountain, people's knowledge is quite good but the traditional ideology still strongly exists in the villages. Conversely, Binh Duong is an industrial province. Majority of information providers are workers in industrial zone so that their awareness on gender equality is better. On the other hand, most of workers in Binh Duong are young so their awareness is more positive.

Analysis by location shows that provinces in the north have the higher rate of respondents on male superiority than provinces in the south and in the central. It means that the traditional ideology of people in the North remains persistent in their minds.

### 3. Activities to improve awareness on gender equality in localities

In reality, various communication activities to improve gender awareness have been conducted in most of localities, among which the most popular activities are to conduct short-term trainings, communications through mass-media and integrated activities in social-economic development program of localities.

According to the statistics of 11 cities/provinces, since the year of 2000 up to date, 872 short-term trainings have been organized to provide knowledge for 83,837 people (3.8% of, 96.2% of women) and 5,720 people for both men and women. At the same time, 4,239 communications to improve gender awareness for 415,892 people have been organized. People were provided with materials on gender & women rights under Vietnam's laws; Gender and domestic violence prevention; How to build a happy, equal, progressed family; CEDAW; review "Women and advancement", women with the works of people's council; posters and brochures, etc.

The above activities have been carried out by Committee for the advancement of women in coordination with the Women's Union. The

financial resource for these activities are from local programs, projects and budget in order to implement the national plan of action for the advancement of women. That is why majority of the trained people are women.

The number of trained people accounts only 2.9% total populations of 11 cities/ province. This rate is too low to reach the objective of gender equality. The statistics show that making effort for gender equality is facing many difficulties and the biggest challenge is people's awareness. Some group discussions, interviews explain more clearly this issue:

The first cause of gender inequality is awareness. If people do not have right awareness, there is no gender equality. Once the awareness is wrong, all old ideology will have strong influence whatever educational level they are (*Communal group discussion in Hung Yen province*).

- Gender equality must be realized by all people. The difficulty here is the awareness on function and role of women. The equality is not easy to be realized by women. The elder people are usually hypercritical towards youth. (*Discussion between leaders in Tien Giang*)

- *It is hard to reach gender equality.* Women have not been equally evaluated and recognized as men. It is thought that women are physically weak. Male leaders should have a little inferior look on female employees. (*Female officers in Dien Bien province*).

It is understandable that few women participate in leadership and management due to their working disadvantages. Let's make a comparison: Two classmates, one male and one female at the same age, graduate and get a job. After getting married, the man still have chance to study foreign



language, improve professional skills, etc but the woman, once she is married and has children so it takes her at least 10 years to do such things (Male farmers in Quang Binh).

### RECOMMENDATION ON GENDER EQUALITY LAW

#### 1. General comment

- *The approach of awareness on gender equality* is very different. The conception 1 considers gender equality at the point of view of human rights. When you were born, whether you are men or women, male or female, boy or girl, you are human being. And each individual are treated equally in terms of human and citizen rights. The conception 2 considers gender equality at the point of view of difference on sex. Women can not be men and visa versa. Women have to assume the functions of pregnancy and child birth. The conception 3 considers this issue from the fact that women are more disadvantaged than men. The mixed conception considers gender equality in different ways, even in gender bias.

- *The expression of gender inequality* in awareness is discrimination between male and female; preference of boy to girl; Women's responsibility for doing house works; women should not participate in social activities and should not get high education, etc.

- *The cause of gender inequality* in awareness is social bias that is etched on women's and men's awareness; inadequate knowledge of gender; confusion of gender and sex; low educational level among people; the communication and education activities on gender and gender equality are not strong enough and adequately invested.

*Methods for the improvement of awareness on gender equality:*

- *Firstly*, helping people to understand gender equality in uniform way and in accordance with international standards as well as with the real situation of Vietnam. At the same time, a specific guidelines should be appropriately applied according to conditions and situations of each locality. It requires the conception of gender and gender equality as well as issues relating to gender, especially the behaviors which are considered as gender discrimination should be clarified and more detailed.
- *Secondly*, the improvement of gender awareness – gender equality should be considered as an important task in education system. It should be integrated in education program of national schools, training centers... In parallel, improving people knowledge, especially for people in remote areas. These activities need the widely involvement of agencies, social-political organizations under the direct guidance of party's organization at all levels.
- *Thirdly*, activities of communication, education and implementation of gender equality should be considered as one of the criteria of annual emulation

#### 2. Recommendation to the Gender Equality Law

In order to change the awareness on gender equality, Gender Equality Law should include the following regulations:

- Provisions on the definitions or clear explanation on gender equality and the issues related to gender and gender equality.
- Provisions on contents, measures and responsibilities to improve

- awareness on gender equality of the State, society, family and individual.
- Provisions on prohibited discrimination behaviors
- Provisions on limitation and elimination of gender biases.

**GENDER EQUALITY IN FAMILY AND RECOMMENDATION ON DESIGNING REGULATIONS OF  
GENDER EQUALITY LAW**

## GENDER EQUALITY IN FAMILY

## 40. Householder

67.9% of householders are men and 29.1% are women. According to the statistic, this rate is the same as the general rate of the country. It shows that the number of women being householders take 1/3 compared to men. Majority of female householders are singles (due to widowhood, divorce, juridical separation, unmarried but having children).

Majority of people think that the number of male householders is higher than female householders because of the customs and traditional thinking that the husband is breadwinner of the family, who is a main decision maker and knows well all things, etc. Some people think that who are the householders is closely associated with the person whose name is undersigned in the residence record book. Man start his business first so that it is evident that he is householder. In parallel,

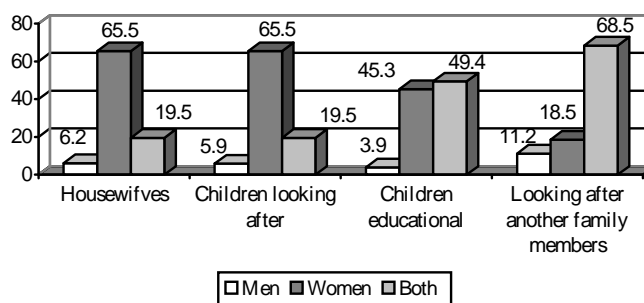
there is also other idea that who is a main laborer and earn money for the family will be householder.

There are women in some families are householders because their husbands are from other localities and have not registered as habitant in their wives' locality. No one had idea about women remain householders or not when the registration of their husband is done. Some women play a role as householders because their husbands have been working in other locality since they were still singles.

## 41. Gender equality in doing domestic work

The domestic work being considered in this evaluation includes 4 types: housework, educating, caring children and caring other members in the family. Following is the evaluation result in 11 provinces/cities:

Table 8: Main worker of domestic work (%)



The chart 8 shows that 65% of people doing housework and caring children are women. Men also share this work but the highest rate is only 6.2%. Family having both men and women doing this work is at the modest rate among which caring children make the highest rate of 19.5%.

The sharing between husband and wife in educating children is more satisfactory with 49.4%. Majority of interviewees think that men get higher education than women so men's

involvement in educating children is very important and necessary. However, 45.3% of women are undertaking this work. The interviewees and participants in seminar and group discussion believe that it is very risky if women have full responsibility in educating children due to their limited knowledge, especially with the new education program.

68.5% of families that men and women sharing in caring other members in the family. There is only small difference between

families having only man or woman doing this work.

The above mentioned work-load levels is the thinking of both men and women. Most of people admit that giving birth, taking care of children and other family members as well as doing housework are vocation and responsibilities of women. It was affirmed from seminars between leaders and from group discussions: women should continue doing what they are doing and men only share in the special cases. Although the society is developing, these responsibilities can not be apart from women because "women look after of the child since it was born including spiritual care so that the child has stronger attachment with mother" (discussion in Tien Giang province).

On the other hand, many people think that men take care of big business, participating in social activities, earning money so that women have to do most of housework. Other reason is also due to male superiority.

Besides, the main subjective reason is from women, women always think that they do the housework better than men and only need the help of their husband and other men in the family when they are sick, have to go outside or solve unforeseen matters...For that reason, men think that wife will not be a wife when she can not do the housework. It is a big pressure for women and to keep family's happiness, firstly for the children, they have to accept and suffer even from violence. This can be seen through the opinion of a woman in Ho Chi Minh that gender equality means "women are in a par with men, but in some cases women should be behind men".

Table 9: Person who is doing housework (%)

	At provincial level			At district			At commune		
	Men	Women	Both	Men	Women	Both	Men	Women	Both
Doing housework	4.1	62.7	18.6	8.6	67.1	18.8	5.6	65.9	16.7
Caring children	4.1	63.3	20.1	7.0	66.6	21.3	6.1	65.9	17.7
Educating children	5.3	44.4	49.4	2.8	45.3	50.7	3.9	45.9	48.5
Caring others	11.2	18.6	67.8	10.0	18.1	69.8	12.0	18.8	67.9

According to the table 9, the rate of women doing housework, caring and educating children at all 3 levels is quite high with 44% while there is only 12% and above of men doing these works. The difference between 3 levels is not considered as this rate is corresponding to sample rate for each level.

- There is a very high rate of women doing housework, Dak Nong ranks the first with 82%, and the last rank is for Tien Giang (42.5%). Ho Chi Minh city has the highest rate

of men and women doing housework (17.8%), the rate of remaining locations is under 14%.

- 43.6% - 83% of women look after of the children in 100% cities/provinces. Tien Giang has the highest rate of men doing this work with 23.6%, Hung Yen has the lowest rate with no opinion. Ho Chi Minh city has the highest rate of men and women doing this work and Hung Yen has the lowest rate with no percentage.

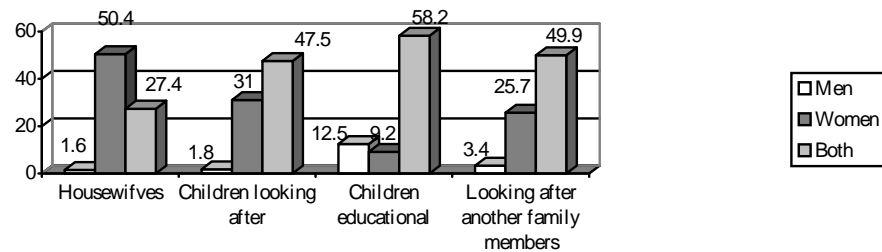
- 50% - 64% of women in 6/11 provinces/cities are responsible for education of children; Quang Ngai ranks the first with 64%. 3/11 provinces/cities has the rate of above 50%; 3/11 provinces/cities has the rate from 40-50%. The remaining has the rate under 40%
- There is a high rate of men and women involving in caring other family members in all provinces. The highest rate is in Hung Yen (87.5%) and the lowest rate is in Quang Ngai (55%)

Though there is the sharing of men in some activities but in general, majority of above mentioned works is undertaken by women. Men share family jobs not usually and continuous with women. This share almost only is operated when the women not at home, had been ill or unable the ability for working. The family job is only for women and man is only supporting them opinion still be very common in many locals. Some ideas said that the daily working share between men and women still depend on the ability of each person, on the specific job. Because the reality proved that for the opinion depending on the job, that means anyone doing any job still continue to do that as traditional. And this is operated like as the traditional habit by men and women.

Although the rate of men and women working together in the family is different in each of specify job, and still not became the main trends at present. However, it is confirmed more clearly advance compared with many last years.

The opinion of information providers about whom should do those jobs reflected the similar trend:

Chart10: The persons should do family jobs (%)



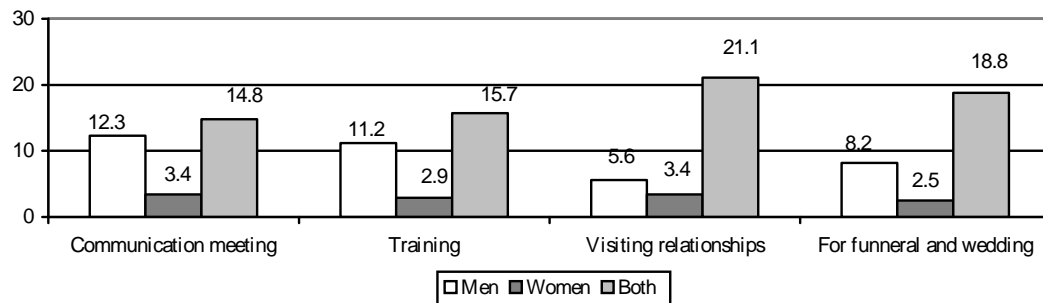
According to chart 10, the working sharing between male and female in family is more clearly expressed. However, the rate of female should do those is still very high because: "women are better at looking after their family than men do. Because the male is in charge of public works, doing farm works after office, and spend little time to teach their children. The women have much more time than us." (female government employee in

village level, Ca Mau).

#### 42. Gender equality in doing other jobs in the family.

Beside above-mentioned jobs, male and female must do some other jobs in family.

Table 11: The whom is doing other jobs in the family (%)



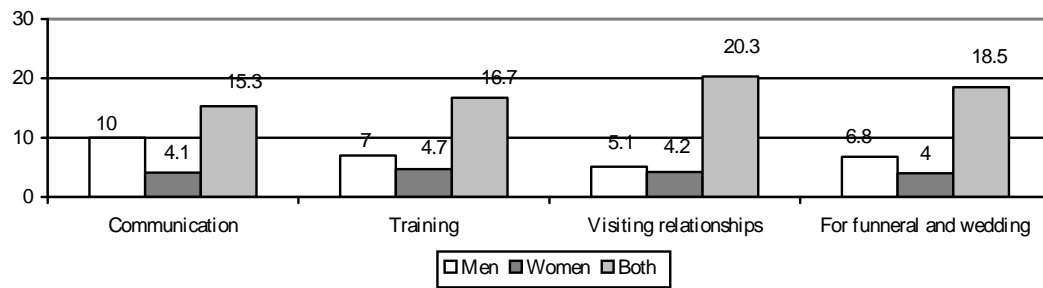
According to chart 11, both men and women take part in community meetings, parent visits, wedding parties and funerals, training. In case either men or women do, the higher rate of men is recorded than women. The reason for this is due to gender-bias "it is carried out from very long time" (male attended in social working in the village level, Binh Duong).

kinds of works is recorded in Hung Yen province (60%). In Other provinces/cities there is unequal rate between different types of work, 30% of respondents gave this answer.

Among information providers giving their opinions about who should do those jobs, men are lesser than women

By location, highest rate of men doing these

Table 12: Who should do other jobs in the family (%)



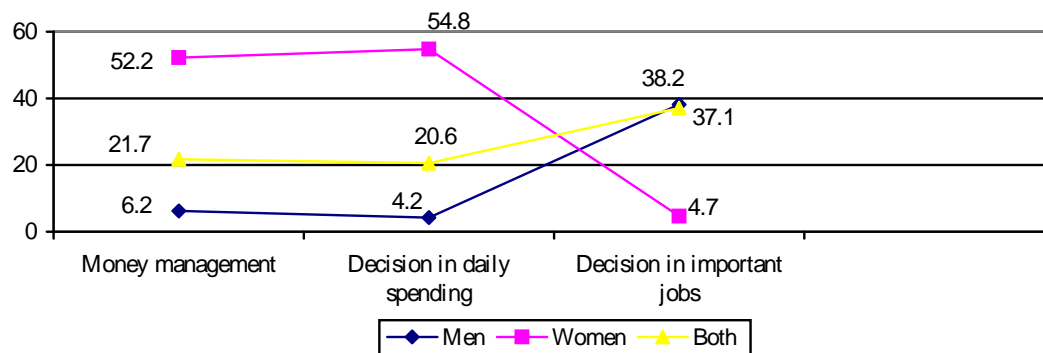
According to table 12, the rate of male reduced much more than the present in all the whole jobs, the female rate is higher than present. The rate of both male and female together to do these jobs are never change "depending on each family" (male farmer, in Dak Nong). Although like that, the compare between male and female ideas expressed that the male attended in these jobs are much more than female, because "female in charge

of many family jobs, and must looking after the children, washing clothes" (male farmer, Dak Nong). And besides, there is the cause from female self is "they don't like to go out".

### 43. Gender equality in making decision in family

Making decision is one of the important rights to assess gender equality in family.

Chart 13: Person making final decision in the family (%)



According to the chart 13, money management and making decision in daily spending in many families is assumed by women, which account for over 50% of the respondents. Respondents showed higher rate within their families (over 62%). It occupies over 20% for both couples making decision.

families whose members join in the survey, both men and women together discuss and agree on purchasing of home appliances, investment in production and savings (at the same rate of over 20% for each). The rate of women making decision in business is lower than men's, but 10% higher or lower in other matters.

Decisions in important matters in families made by either men or both couples are at the same rate (over 37%). That women make their own decisions in important matters occupies only 4.7% of respondents. By making decision in specific matter in

57,8% female respondents, 68,4% male respondents asserted women are managing money, 75,4 female respondents, 64,5% male ones said that women are making decision in daily expenses and 48,8% and 50,7% female and male respondents respectively told that



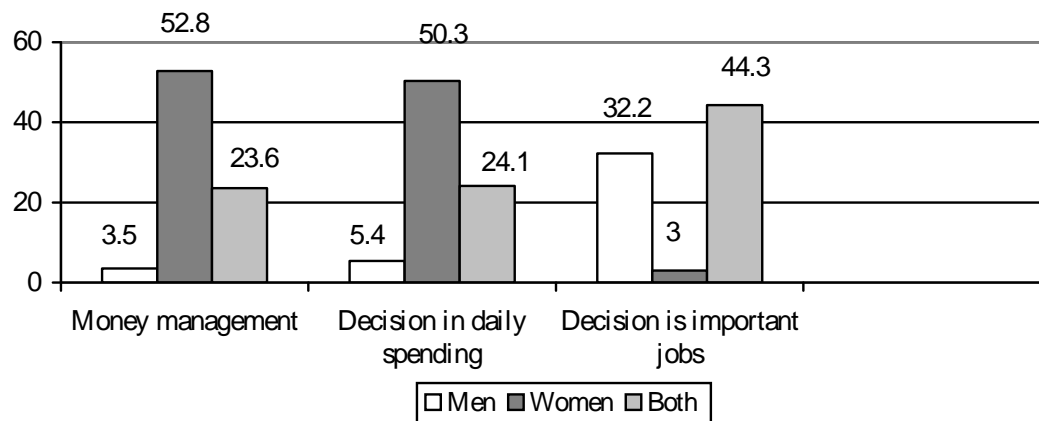
men are making decision in big matters of the family.

By location, the highest rate of men managing money is reported in Hung Yen (46.7%) and lowest rate in Binh Duong (4%). While the rate of men making decision in daily expenses in Hung Yen is only 28.9%. It reflected that despite managing money, men do not involve directly in daily expenses but women (occupying 71.1%). It is unlike other provinces that the person who manages money plays decisive role in making decision in daily expenses that is women. The highest rate of men's making decision in big matters of the family is reported in Hung Yen with

88.9%. It is explained that "the male is the bread-winner of the family (a woman, mass organization, Hung Yen province) "the big matters related to making business are decided by my husband, I could not make this kind of decision cause I am a woman. The only thing I could do is only discussing and giving opinions" (a female farmer at communal level, Hung Yen), etc.

The highest rate of women making decision in big matters is reported in Quang Ngai (13%), lowest rate of 1.9% in Thai Nguyen province.

Table 14: The person who should make decisions in family (%)



According to table 14, there is no difference between the question of who should do house works and who is currently doing these works. The rate is increasing for the 3 kinds of works. However, related to the question that women who should decide the big matter, it reduces 1.7% against the current situation. For men who should make such decision, it reduces 6. While number of respondents saying that both of the couple should do such a thing increases 7.2%. This shows the improvement of awareness of freely discussion and making decision among men and women.

It is like other provinces. The number of respondents saying about who should decide the big matters in the family are higher than the actual situation, especially in Ho Chi Minh city (by 16.3%), Hanoi (by 6%). Noticeably,

66% of respondents in Hung Yen said that women should decide the big matters in the family. It is 6 time higher than the rate of women who are doing such a thing at present.

66,8% female respondents and and 70,2% male ones said that women should be the persons who manage money. 71,3% female respondents and 67,7% male ones said that women should be the persons who decide daily expenses. 39,8% females and 47,2% males said that male should be the person who decide the important matters,

It was said at discussions that men's primary role in making decision of important matters in the family is etched in mind of many people cause "the female has ability to make such decisions, however they are always reserve

this right for their husband in a subtle way. At the present the rate of women to make the decision is rather high but inequality remains common. I thought that this is up to women themselves. In case if women make decision, then they take action successfully, it does not matter, but if they fail, they are blamed by their husbands. Therefore, I think that let the men make decision whatever he should do (*panel-discussion with communal leaders, Tien Giang province*).

#### 44. Gender equality in reproductive health care

For health care, almost of the respondents said that women are physically weaker than men. Women usually spend much time on their work, little on their health. For some cases, they even deliver at home rather than at health stations.

Both men and women suffer from the same diseases when engaging in production. Besides, women suffer from STDs due to unsafe working and living conditions. Despite efforts made by many provinces to provide women with treatment, there remain high rate of re-infection of STDs among women.

There are some reasons for that situation since due attention is not paid to health care services at several localities, especially rural, remote areas. Women have little chance to get access to periodical health examination.

It is said that women have to meet men's sexual aspirations, therefore women become physically weak. Due to their heavy work load and weak health, they still satisfy their partners' aspiration.

The men face health problems cause they concentrate on doing business but not caring their health. Moreover, they rarely take part in training on health care, especially reproductive health care.

Application of contraceptive is one of the important ways to reduce birth rate and sustain women's and men's health. However, majority at panel discussions and group discussions said that women are mainly applying these methods. Men do but not many and rarely.

There several reasons for this fact. For long women are inferior to men. It is women's responsibility according to social norms because women bear reproductive functions, so it is more advantageous for women to apply these methods. For these reasons, women often voluntarily apply these contraceptives, cause "I have to endure hardship, so I must actively do this to help myself escape from this hardship." (a female civil servant, Ho Chi Minh city)

Men use condom but reluctantly. Sterilization is one of the methods that rarely are applied by men because of some reasons, including psychological fear that "this man is abnormal and it worsens productive capacity" and risks in their lives. On the other hand, men always said that the target group of reproductive health care communication is directed to women rather than men. Therefore, it is understandable the rate of men using these methods is lower than the rate of women.

#### 45. What respondents think gender equality in the family

##### *Gender equality in producing boy or girl*

The opinion of producing son or daughter is demonstrated by their attitude to each of the idioms we mentioned:

*"The daughter is going to be the daughter of another family":*

- 69,4% showed their opposition (men and women at the same percentage), they are mainly at the ages of 31-45

and at secondary and high school.

- 20,6% respondents partially agreed (men 19,2% and women 21,6%). Mostly are at the age under 45 (over 34%) and at secondary school and high school level (high school is 25% higher than secondary school).
- 8,1% totally agreed (8,7% men and 7,6% women). 46,1% respondents are at the age from 31 - 45 and at primary and high school level (over 31%). Noticeably, about 20% of respondents with post graduate level showed their agreement on the idiom.

The reasons for the disagreement on that idiom are:

- "Son or daughter is the child of my family, not of others " (male farmer, Dak Nong).
- "That is the old idiom, it is not suitable for now. In the fact, at present the daughters always pay their concerns for parents even after getting married. So the daughter of my family is not the daughter of another " (retired man, Thai Nguyen).
- "The daughter is better than son in some times. When her mother falls in illness, she always look after me and showed her affection. The son is but only verbally ask for my health occasionally and then go out immediately" (retired woman, Hanoi).

It reveals that some of public cadres and community people are aware of their son and daughter's roles in their family. Though it is not common, there is tendency that their attitude toward this matter can be changed.

*"10 daughters are not worth than 1 son".*

- 86,5% disagreement on it are at various ages, especially 78.4% at above 55; at different educational levels (60% illiterate); at different

professional levels (88.6% intermediate level) and marital status (87%)

- 7,7% partially agreed (7,1% male and 8,1% female); by ages (lowest rate of 5.6% among 46-55 years. Mostly are illiterate (25.7%, 3 time higher than other educational levels). None at post graduate level express partial agreement. By marital status, over 7% of both single and married expressed this opinion.
- 3,5% totally agreed (5,1% male and 2,4% female). Mostly at the ages over 55 (7,8%), the rate is lower for those at younger ages. This proves that the young generations tend to disagree with that saying. The agreement falls at those who have leaded a life over two centuries and are illiterate (11.4%). Only 1.9% of them are at intermediate or college levels.

Although 4% totally agree on that saying, their explanations should be taken into consideration:

" My husband said It is ok with whether child is son or daughter, but when I gave birth a son, he is really happy. I found men prefer son. And when she wants a son, it is only because she want to satisfy her husband and his family. But whether it is a son or daughter he/ she is descended from me. (*female cadre, Hanoi*)

"Some families nearby have two daughters, however her husband still wants to give birth the third child with the expectation of a son, because he is the eldest son in family. Her father in law said that he is the only son in the family so she must try to give birth a son for him. Finally due to pressure from her family, she kept giving birth, but unfortunately the child is not boy' (*retired woman, Hanoi*).

So, Giving birth a son is not sometimes

decided by the couples but by pressures of their family. This shows the couples don't have scientific knowledge of giving birth a son or a daughter. Simultaneously, women have to endure the pressure but don't dare to struggle for their health.

*"The child is spoilt by his/her mother and grandchild spoilt by his/her grandmother".*

- 59% disagreed on this saying (54.5% male, 62,1% female). By age, 31-45 years of age occupy 39.7%, under 30 30.5%. It demonstrates that awareness and knowledge of the young of women's and men's roles and responsibility in educating children are improved, as regarding it is not women's work. by educational level, the higher they reach, the higher rate of disagreement. It is the same rate among the respondents at different professional level.
- 26,5% partially agreed (30,4% male and 23,9% female). Difference among the respondents by ages is more or less 5%, but highest rate of 28.2% is among those under 30. It affirms that part of young generations is still heavily influenced by gender bias regarding women's role. The highest rate of 50.3% is among the respondents at high school. Out of the respondents at post-graduate level, 40% partially agreed on.
- 11,3% totally agree (12,1% male and 10,9% female). The highest rate is among 31-45 (45.3%) and among those at high school level (33.6%). Those at intermediate level are two times more than at post-graduate level.

All of the above mentioned cases are either single or married. They agreed or partially

agreed on it because it stems from the fact that women always closely link with children and take main responsibility for taking care of children. Therefore, bad children are blamed on women. Due to unsharing responsibility for educating their children, men become "innocent".

The result of questionnaire-based interview among the participants in panel-discussions and group discussions shows that 35,3% said that the men always love to have a son while 7.1% women do. 25,2% male and 9,4% female like to have a boy. The rate of respondents loving both boy and girl is very small. The rate of male respondents preferring girl is as modest as 4.9%. Female respondents preferring girl occupies as many as 12.3%, which shows that women prefer girl than men.

And the fact proves that some times the giving birth a son or a daughter is not decided by the couples but other family members. Take an example in Dien Bien: "I only wanted to have two children, but I must give birth to 5 children, because that is my mother-in-law's wish. She wanted us to give birth a daughter at any price because the family of my husband have all sons. It is a cause to quarrel between our couple with her and brothers of my wife in many times. Finally, we must do what she wanted. Fortunately I gave birth a daughter" (*Male cadre, at communal level*)

For the awareness of son and daughter in family, most of respondents said that both son and daughter are equally significant. Because they are children of the same mother, each of them has different role in the family.

"In a family without a son, it is harder for the father, it is harder for mother if they don't have a daughter" (*male cadre, Thai Nguyen*).

"If the daughter and son know how to do everything, they are successful in their lives. If not, they whether girl or boy fail to succeed"

(female farmer, Thai Nguyen).

"Although the son or daughter is equally significant since they are descents of the husband" (a female farmer, Tien Giang)

However some said that son and daughter is of different significant because of their role in the family:

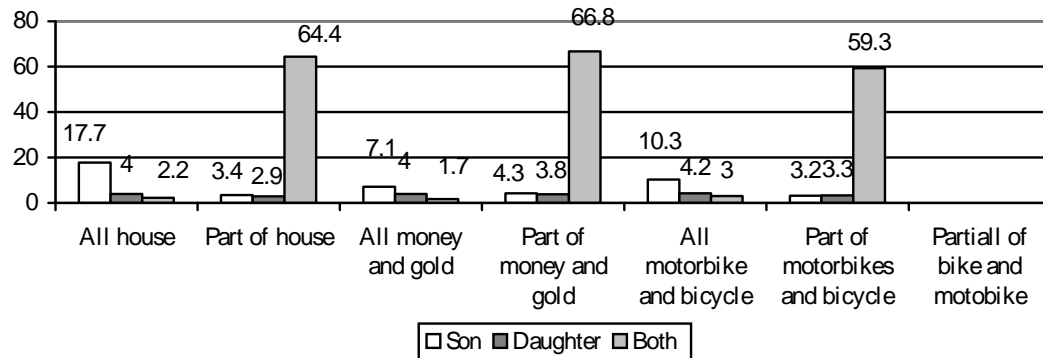
"At the moment, the daughter is very good. A good daughter loves and respect her parents" (female farmer, Quang Ngai).

"It is historical ideology of preferring boy, but today girl is better than boy. I myself prefer

daughter than son. When her parents are ill, she is ready to look after their parents even they suffer from infectious diseases. It is daughter's values. Some families in my village have sons but they are bad boys who are addicted with drug. Daughter is more hardworking" (male farmer, Dien Bien).

### Opinion of gender equality in inheritance

Chart 15: To leave the property for children (%)



According to chart 15, leaving property for both son and daughter is progressive, occupying over 55%. That leaving son or daughter property occupies modest rate, but property division for son more than for girl. There is no difference between male and female respondents and educational, professional levels and marital status.

It is the same as the information providers who receive inheritance from their families. Among 25,7% of respondents received the inheritance (rate of male - female receiving them is equivalent) from different sources, both sons and daughters received the inheritance but sons receive 3.7% more than daughters.

By location, the highest rate of leaving the whole house and real-estate for son is

reported in Hung Yen province (48.9%), 7 times higher than the province of Dak Nong. The remaining provinces is reported at rather high rates of 36.4%, 30%, 19.2%, 16% in Quang Binh, Dien Bien, Thai Nguyen and Hanoi respectively, etc.

Number of respondents saying that they divide their house and real-estate for both girl and boy makes up over 60% (8 out of 11 provinces) Hung Yen, Dien Bien and Quang Binh recorded the lower rate. It is explained that "by customs, when getting married and moving to her husband's house, more or less daughters would receive part from her husband's family, how much I give my son, he has got only this. Therefore, if I give my boy 10 parts, my girl is received 7 parts. I have to see how wealthy her husband's family is, I would make up for her then.(male farmer, Dien Bien)

This situation comes from the local opinion that the son would be the person who worships ancestors. But the daughter "get married, the daughter must be responsible for husband family's works. And the son has to shoulder the taking care of their parents when they are ill. And after this, the daughter-in-law will be responsible for looking after her husband family, etc. The daughter lives with her parents in about 20 years but live with her husband's for longer time. She occasionally visits her parents when she has free time or when her parents are ill. But the son must be responsible for taking care of their parents. And it is a long-lasting rule of the rural area. (retired man, Hung Yen)

### 46. Domestic violence

This is one of the matters concerned during the assessment of gender equality situation. Almost all mentioned this matter more or less and proposed to include it into the Gender Equality Law. The main reason of domestic violence a cause of gender inequality. Sometimes women do not want to suffer from violence, they accept to follow their husband's "order", and served for their husband unconditionally in order to keep their house peaceful. Domestic violence victims are due to the irrespectively by their partners.

## RECOMMENDATION ON REGULATION OF GENDER EQUALITY LAW

### 1. General comment

*Gender inequality signals in family* are that almost all of house works are burdened by women. The right to make decisions on important matters and ownership of valuable assets are realized by men. Women mostly have no chance to get access to the information, and to go to school. In some places, the women must continue delivery until a son is born. The women is seriously affected when their families have any persons who engage in social vices. Domestic

violence still occurs. Women are more provided with communication on health care than men, but spend little time on self-caring and they also have to apply family planning methods.

*The cause of gender inequality in family* is awareness, concepts of traditional labor division, superiority of men to women. They face economic difficulties, men must be away to earning living, and the house works must be done by women. health care services and communication and education on gender do not pay due attention to both men and women. On the other hand, women themselves think they do these works better than men. And these make men consider house works as women's. At the same time, they do not realize that house works should be shared by both sides.

*The solutions for improving gender equality in family*

- *First*, expanding and improving the quality of social services in order to reduce the burden of the house works on women. And simultaneously ensure men share family responsibilities, family planning because of high pressure of unpaid house works and responsibility for applying. Increase communication and education on affection, sentiments among family members for men, especially on significance of sharing house works in helping children grow well. For good development of children, it is a must to keep women healthy, knowledgeable.
- *Second*, increase the communication and education to remove gender bias. Mainstream gender into policy and legal provisions formulation and implementation of Party and State. Simultaneously, promote measures of economic development, generate

works for households at home.

- *Third*, it is necessary to take measures to encourage women to grow to self assert their roles in family.
- *Fourth*, take measures to let all family members freely discuss and make decision on family affairs. If so, it will benefit both men and women. Then men are not closely stuck with economic development role and women receive support from men for doing house works. And simultaneously, the women share what men are doing now.
- *Fifth*, it is necessary to concern for inheritance property division in family. On general aspect and by each locality, division of more valuable assets for sons remains existed. When concept of "a daughter is child of other family" drags along with the concept "the daughter will be inherited from husband's family. Moreover, poor legal knowledge causes women grapes nothing in case of divorce

### 2. Recommendation on Gender Equality Law

To improve the gender equality in the family, a specific charter or section on gender equality in family should be formulated in Gender Equality, including:

- Regulations about gender equality in housework division.
- Regulations about gender equality in making decision, management and ownership of common property of the family.
- Regulations about gender equality in application of family planning.
- Regulations about gender equality in taking other responsibilities in the family.

**GENDER EQUALITY IN ECONOMY –employment  
AND Recommendations ON GENDER EQUALITY LAW**



### GENDER EQUALITY IN economy-employment

#### 1. Gender equality in work division

In some provinces, two third of income generation works in agriculture, rural and free-lance works are done by men. Women actively engage in production and breeding at different stages. In many localities, women play main role in every stages of agriculture, from cultivation, looking after and harvest cause men work far away home. It is worth to take notice that sometimes people do not consider women's engagement in cultivation as income generation because many families do not engage in goods production but serve for their needs.

At many cities and urban, women join in manufacture as much as men in terms of frequencies, time, but their working positions different. Due to the different economic condition of each area, labor division is different at all levels from province to district and commune. In some places the excellent women are doing business but men making money. Despite this fact, women engaging in economic activities are not realized in some areas. Due to gender bias that men are bread-winners, women's contributions to economic development are not equally evaluated as men but only substitute for men in improving living conditions.

What men do and women do is seen as gender-oriented social work division. men and women are equal in intellectual works but it is based on health of laborers for manual works. (*Panel-discussion, Dien Bien*)

Almost all respondents said that women take part in income generation works in various forms but the rate of participation is lower than men. On one hand, it is perceived that men play as bread-winners in the family and women as taking care of family. On the other hand, due to shy and complexity, they accept gender biased labor division.

Besides, according to the opinion of many people, those who make more money have the rights. It is one of the causes for women's less involvement in high income generation works because of invisible and visible power in the family. It is said that traditional norms must be maintained. Gender equality is combination of traditional and modern norms. Three obediences do not mean they have to follow husbands, husbands are always right. Four virtues must be maintained. " (*communal panel discussion, Ho Chi Minh city*)

However, there is another idea that if both men and women engage in income generation, their family's economy will be more stable, leading equality in other matters. If inequality in economy, it will lead to inequality in other areas. (*male cadre, Ca Mau*).

The ones who have higher education and professional levels are able to take part in business but their working opportunities are limited due to gender-bias.

When taking part in production, men and women have some advantages and disadvantages:

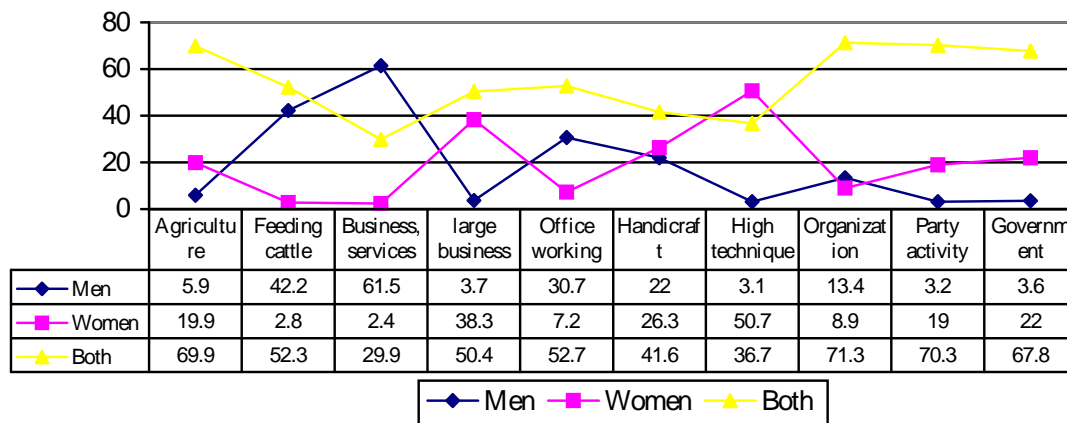
- The largest advantage of men is not busy with house works, men can do whenever and wherever for long time. "Men are better in health and psychology than women. It does not matter if we return home at midnight but women are badly treated if they do like men. Therefore, work allocation should be appropriate for women " (*a man, provincial mass organization, Thai Nguyen*). After working hours, men can stay at office to play game like ping-pong, etc. Men have conditions to show up themselves"
- Women are hardworking. But they face more difficulties. According to respondents, the biggest challenge for women is to reconcile house

works with social works "the most difficulty is how to arrange time to take part in social works and take care of their family. It does not matter if men come home late but it is matter for women. After office, women have to do all house works even men are at home at that time. It is one of the biggest constrains for women to take part in social works" (panel-discussion, Tien Giang). When women back home from fields, they have to do house works. Therefore, working hours of women double men's, and they hard arrange their works to go on business trip. "If husband knows how to share works with women and create favorable conditions for women, women will do

better their works" (man, Party organization, Tien Giang). "Women face difficulties because their limited knowledge level that comes from the conception girls do not need to study much, studying at secondary school is Ok for them" (a men, communal mass organization, Hung Yen).

Although the reality reflects many difficulties in realization of gender equality in economy-employment, progress has been made in work division for men and women. They said that women can do what male-dominant works are:

*Table 16: Work division for men and women (%)*



According to the table 16, the highest rate of women able to do high-tech works is reported (50.7%); 38.3% of respondents said that women are suitable for big business. What is most suitable for men are business, services (61.5%), small percentages for others. It is noticeable that the same rates of men and women who are suitable for the above works, including mass organization, Party organization, government and agricultural production (65%). It shows that both men and women can do such works equally. However, it is a far distance from knowledge to behavior.

By location, it is common trend that both are

suitable but by specific work, difference is reported,

By individual characteristics:

- Difference in the rate of female and male respondents is not so big as 5% upon each work.
- That Men and women are suitable for agriculture production occupies highest rate of 40.6% among 31-45 years of age, among secondary school (3.2%), and among married (74.8%). Less respondents of the above groups held that only women

are suitable for agriculture production. Those at 45 years of age or younger with educational level of high school or intermediate and with married status said that men are suitable for this work .

- When mentioning men and women are suitable for business, the highest rate of 34% is reported among those under 45, 55% among those with high school, 22.5% with intermediate and 71.1% among married people.
- Regarding men and women are suitable for big business, it is concentrated by group of 31-45 (41.8%), 21.4% of people having educational level of intermediate and 73.2% of married people.
- 42% of the respondents above 31 said that both men and women are suitable for administrative, handicrafts and high tech, 52% of those with educational level of high school, 18.8% of intermediate and 71% of married.
- 40% of the respondents at the ages of 31-45 told that both men and women are suitable for mass organizations, Party organization and government, 50% of educational level of high school and 19% of intermediate and 70% of married shared this view.

Among views that men, women or both men and women are suitable for specific work, the rate of leaders is 5% lower than the rate of cadres.

## 2. Gender equality in employment

### 2.1 Gender equality in employment

According to the respondents, the process of recruitment of cadres and civil servants in

agencies and organizations from provincial to local levels is in compliance with regulations of recruitment under Ordinance of cadres, officer and its guidelines documents.

Pursuant to regulations of Party and State to ensure women take part in activities, some of localities have directed and provided instructions of recruitment to ensure no discrimination between men and women "whoever passes the recruitment examination regardless of men or women are employed" (*man, local authority, Quang Binh*)

Besides, some said that incentive is given to men because they have more advantages than women do:

- "men is not affected by feeding children, failure to deliver baby since it makes their working ceased, men enjoy more advantages (*a male worker, Thai Nguyen*).
- "Men are healthier and able to work more" (*a man, Party organization, Hanoi*)

In some locals, more incentives are given to women than men. However, these incentives do not come from acknowledgement of women's roles but lack of female personnel in the organization or the conception that women are better for these positions. Therefore, they only recruit men for works that are considered as ones not for women. But some organizations want to employ women because women are hard working, meet working time and their work better than men in some aspects. However, according to some people, recruitment of female employees is more difficult because "after employed, for young women, they get married and give birth, have their maternity leave. In the case their children are ill, they leave to look after their children. Leaving many days poses difficulties for their advancement" (*woman, mass organization, Thai Nguyen*).

The way to recruit new workers is posting vacancy advertisement and then recruitment. For recruitment of cadres, civil servants, apart from screening and examination (mainly applied to those who just graduate from school), transfer the cadres, officers from other organization at local level or selection of qualified students to advanced training then receive them to work at their request. For Party offices and social - political organizations this solution is mostly applied. Incentives are given to children whose parents are working in the organizations or agencies on the basis of their qualification and expertise.

It is shown that women are usually employed in social - political organizations, men in state management agencies. The reason is that "rarely women have high level of education and professional. Almost all do others and refuse to return home". on the other hand, the mass organization recruit women because they are so active and resourceful but men are lazy, (*a woman, mass organization, Tien Giang*)

According to the respondents in Binh Duong, female workers face more difficulties than men in seeking jobs, especially married women. Recruitment of female employees in many enterprises of garment, food processing in many industrial zones, and processing zones rarely meet any difficulty. That means female workers have chance of employment of female-dominant works.

When recruiting employees, the set ages are confined to 18-35. But in fact women at the age of 33 or more have few employment chances, even they are highly qualified and accept to work as workers. Men at 35 are still employed .

### **2.2 Gender equality in using labor**

The using of cadres and civil servants in offices, units in many provinces/cities is based on their ability, strength and specific working

positions while incentives are given to women due to actual difficulties.

And health is one of the factors that need to be considered while equal allocation of work for cadres and officers on the basis of health status and gender characteristics. Based on health status, equality must be realized" (*group discussion, Dak Nong*) Many locals assign works for women nearby their house, to do light jobs that suitable for their health status. Usually those works are simple and low value.

About indifferent incomes in government sector unlike private sector, women's incomes in some industries are higher than that of men because women do double or three time more works than men. (*meeting at the district, Ho Chi Minh city*). In comparison between income of men and women, their incomes are wide ranged, upon each specific work. In general, women's income is lower than men's. It occurs among those at the same sector at the same starting time. For enterprises, the income increase along with their capacity, women have a day off, their income is less than men's by value of one day. It is one of the reasons that female employees in enterprises spend only two month as maternal leave.

Importance is attached to the guarantee of the labor conditions such as labor hygiene, labor safety, labor protection in agencies, units under Labor Code.

About policy of incentives, many mentioned training. Difference in retirement ages is concerned. The difference in retirement ages brings about other matters. "In fact, longevity age of women is older than that of men, but retirement age is earlier than. It is unequal (panel-discussion, communal level, Quang Binh)

One of the difficulties for female workers is that enterprises tend to chose workers at low level for a short time and then seek to lay

them off. By doing this, they do not need to train them and pay insurance for laborers. Their works are not stable, not guaranteed. There are some matters in contracting employees. Many enterprises take advantages of legal regulations to last the working rehearsal period, unilaterally stop the contract, and fail to write fully legal rights of employees in the contract. There are some violations of contracting collective wage agreement, especially application of punishment of minus of employee's wage, etc.

When working in the harmful environments, the laborers do not receive allowances as required by legal regulations.

Female laborers face many other difficulties, especially small living area, lack of necessary living condition, lack of time to build their families.

Male and female laborers in the enterprises do not have their legitimate rights and interests protected due to many reasons. There is not party organization, youth union and mass organizations within the enterprises especially foreign invested ones. The fact shows that in enterprises where party organization and mass organizations are set up and operate, strikes, moral and physical insulation against laborers, especially female ones rarely happen.

Besides the causes from the employers, there are causes from the employees, such as their low knowledge of interests and obligation under Labor codes, low discipline, willingness to quit their work to move to others for higher income. All of these make the employees thorough employment and it is one of the reasons that the employers interpret the labor regulations in wrong way to maintain the laborers.

## II.RECOMMENDATION ON GENDER EQUALITY LAW

### 1. General comments

- *There are many signals of gender inequality in economy-employment.* Women find difficulties in seeking a job. Women are not employed in agencies, organizations, both manual works and high tech. Women often do low-income works. Policies of rural female are not prepared. The rate of female unemployment is higher than male. Women's health worsens
- *The causes of gender inequality in economy-employment.* the profession level of women is lower than men. Gender bias is that men are able to do high-tech works. Women work inefficiently because they spend much on giving birth, taking care of children and family. Women themselves accept the current works. There are some shortcomings in exercise of policies of female employees (for example WC, kindergarten, etc). The gender inequality remains between rural and urban areas; between employee-employer sectors and self-created work.

*The solution for improving gender equality in economy - employment:*

*First*, the sound vocational training policy should be adopted and labor division appropriate with concerns for special characters of men and women. Opportunities should be created for both men and women to get access to funds of work creation. Because almost positions of female staffs are simple, requiring carefulness rather than activeness, creativeness of women such as typing, clerical work, service, product packaging, etc. Men in rural area are burdened with earning money. Equal number of men and women in offices, enterprises is recorded but men's positions are better than women's. In addition, gender-bias in relation to women's and men's role in making money and related issues

remains persistent. Noticeably, some said that a woman doing “house works” is a barrier to complete social works.

*Second*, improve infrastructure, kindergarten, nurses and baby sister. Expand and improve quality of social services for house works.

*Third*, increase supervision, communication on implementing Labor Code (reduce tax for the enterprises which employ more workers, improve working conditions, vocational training, etc) because realization of labor code within enterprises and units remains limited. Relating to labor use in offices, enterprises, the pressing matter is that the stability of their works, working frequency, working conditions and protection rights and interests of the labor in all enterprises by involvement of social - political organizations. Doing this benefits not only female and male workers but sustain national security and defense. ON average there are about 2,000 workers in each enterprise in Binh Duong. Without concerns for their interests, it is hard to avoid instability in enterprises, then spreading to industrial zones and outside.

*Fourth*, regulations for labor in agricultural and rural areas and self-created works need to be adopted. Simultaneously, improve responsibilities of employers for ensuring working conditions and health care for employees.

*Fifth*, increase education and communication to remove gender bias of recruitment, employment and incentives for employees. Because the chance to look for a job of female is more limited than men, especially in public sector. Regulations of labor recruitment are not strictly enforced. The pregnancy, birth and house works in some

localities are causes for women to be removed from employment. Women are required to meet more criteria than men. On the other hand, by CEDAW and other Vietnam's legal regulations, this matter needs to be taken away.

### 2. Recommendation on Gender equality law

In order to improve the gender equality in economy-employment, Some regulations need to be designed in Gender Equality Law as follows:

- Regulation on gender equality in choosing and deciding work.
- Regulation on gender equality in ownership and management of enterprises.
- Regulation on responsibility for guaranteeing gender equality in policies for enterprises.
- Regulation on gender equality in employment, using labor and incentives for laborers.
- Regulation on gender equality in social insurance.
- Regulation on gender equality in doing public interest duties.

GENDER EQUALITY IN THE POLITICS  
AND RECOMMENDATION ON GENDER EQUALITY LAW



## GENDER EQUALITY IN POLITICS

In this field, the rate of male and female participation in elected bodies and state management agencies:

### 1. Participation in party organization at all levels

Table 17: Men and women participate in Party committees at all levels (%)

	Member of executive committee		Secretary		Assistant secretary	
	Male	Female	Male	Female	Male	Female
Province level	86,4	13,6	100	0,0	91,7	8,3
District level	87,2	12,8	91,8	8,2	92,8	7,2
Village level	0,0	0,0	95,8	4,2	94,1	5,9

The table 17 shows that the rate of men working as member of Party executive committee, Secretary and Assistant Secretary

at provincial, district and communal levels is 6.3 – 15.9% higher than women, Whilst there is no woman as Secretary at provincial level.

### 2. Participation in People's Council

Table 18: Men and women participate in People's Council at all levels

	Delegates		Chairman		Vice chairman	
	Male	Female	Male	Female	Male	Female
Province level	68,1	31,9	100	0,0	67	33
District level	59,2	40,8	79,1	10,9	82	18
Village level	61,9	38,1	85,5	4,5	87,9	12,1

According to table 18, the female delegates of People's Council at province levels are 36,2% lower than male. No woman is elected Chairperson. Number of female vice chairpersons is one third of men. The female delegates are 18.4% less than male. Female chairperson and vice chairperson at district

level are 7.2% and 4.5% less than male respectively. The female delegates, Chairperson and vice chairperson are 1.6 time, 19 time and 7,2 time less than male at communal level respectively.

### 3. Participation in local authority

Table 19: Men and women participate in local authority (%)

	Chairperson of People's Committee		Vice Chairperson of People's Committee		Director of Service/ Department	
	Male	Female	Male	Female	Male	Female
Province level	100	0,0	91,2	8,8	63,4	36,6
District level	95,9	4,1	90,2	9,8	69,8	30,2
Village level	95,5	4,5	92,3	7,7	85,1	14,9

According to table 19, People's Committee (PC) female chairperson, PC female vice chairperson are 10% less than men. Female Directors of services and departments are seen highest rate of 36.6% in provincial level, and lowest rate of 14.9% in communal level.

managers, the respondents told that:

- "Men are taken in consideration in assuming important positions because they can do heavy works and they are healthier. And women are not so good because they burden house works. (female officer, district level, Dien Bien).

It is explained of few female leaders and



- "Women are qualified and capable but affected by their house works. Men can pay little concern for their family, but women can not" (*female officer, mass organization, Thai Nguyen*)
- "Some women think that as women they should in charge of the house works, and men should assume social works. women could not do anything for people but men. Due to this thinking, although women are enlisted in the People's Council candidates but they fail to be elected." (*female farmer, Hung Yen*).
- "In general, men play better leadership role than women since they are stronger and more determined in any decisions. Women are hindered by house works once they are leaders " (*male worker, Thai Nguyen*).
- "Women do not support each other, fighting and hurting others" (*panel discussion, at provincial level, Quang Binh*).
- "When women do well anything, they are praised but once promotion they are thoroughly considered. Despite failure to see how women assume the leadership positions, they are looked down on and regarded as bad managers. It is superiority of men and inferiority of women" (*panel discussion, at district level, Quang Binh*).
- "Emotion-oriented management is not effective. They spend much on family, etc. More favorable conditions must be created for women to take part in social works. Women have to self-assert. They always stand behind

men because female's determination is not as high as male's " (*panel-discussion, at district, Ho Chi Minh city*).

When comparing a male leader with a female one, a man in Quang Ngai said "As leader, women think of their families, concern for families, they do not surpass limitations. While men are interested in their business and they think they have housewives beside, sometime they forget their families and surpass the limitations. In the battles before, they survived but in peaceful battle, they can not overcome"

Chances to be heads of agencies, organizations are small for women. They only assume the positions of vice heads. On the other hand, when men and women are at the same positions, they are treated more seriously.

#### **4. Quotes and some issues related to male and female participation in leadership and management.**

Some said that it is necessary to define quotes for men and women to ensure equality, creating conditions for women to promote their abilities. It is to require all agencies at all levels to strive for the quotes in local authority, party committees at all levels. For example, quota for women is defined in this term, it requires all agencies at all level to plan, and ensure availability of female personnel. It let it be nature; it is very hard to achieve the quota (*panel discussion, Hung Yen province*)

Through elections of Party organizations, National assembly and People's Council, the rate of female elected is lower than male because of male superiority among people in rural area.

said that we should not define matter of men or women, but general rule that qualified and

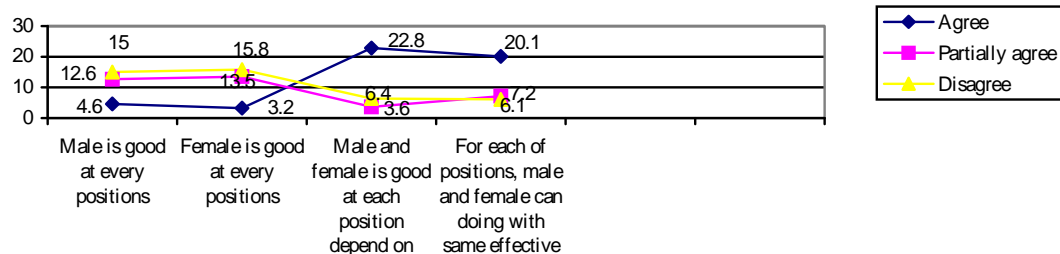
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honest persons must be chosen. Currently, limited level of knowledge among women, much works and male leaders require quota as driving force for party organizations at all levels to pay more attention to women. When women have higher level of education, quota is not needed anymore. Limited knowledge among women stems from undue attention paid to training of women. So women's roles have not been clearly seen in local works

creating the psychology that women are not working effectively. The women has characteristic of sacrifice, and enduring, letting their husbands grow. So, we should adopt sound policies right from the beginning.

Regarding to the matter is who is better in positions of leadership and management, the respondents show that:

Chart 20: leadership positions female and male are good at (%)



According to chart 20, regarding men and women are good at some of the positions, agreement responses occupy 22.8%. About both men and women good at any positions, agreement responses occupy 20.1%. There are some reasons:

Both men and women can act as leaders. Why it is said that women can not do. Women can do, when we see other countries, women become Presidents. It is wrong that men can act as leaders but women. (*Male teacher, Ca Mau*)

- "At the moment renovation is the women is ability equal with the men. Therefore the women is working like as the men. They are not agreed with the idea is the men must do at higher position then women" (female working in the organization in village, Quang Binh).
- "Currently, women are equal to men, they can do like men, no work division for men and for women is set" (*woman, mass organization, Tien Giang*).
- "Differences in each of occupations, women are suitable for the positions as leaders of personnel" (*Woman, mass organization, Tien Giang*)

It is believed that when women are shared with house works, liberated from unknown tiny works in family which are considered as female dominant works, they can make more contributions to locality, society and country.

Related to a rather important issue in promotion of women into positions of leaders and managers, many said that the age set for women to be promoted in the first time is not rational against that of men. They graduate from school and start working at the same time but period of devotion of women is shorter than men because of pregnancy, childbirth while retirement age is 5 year earlier than men. They are barriers for women to develop unless incentive policies are adopted. The promotion age for women at the first time is 5 year later than men" (*a man, Party organization, Quang Binh*).

## RECOMMENDATION ON GENDER EQUALITY LAW

### 1. General comments

- *Gender inequality signals in politics.* Participation in leadership and management is not responding to number of female cadres, officers, employees. They assume the positions of vice heads.
- *The causes of the gender inequality in politics* is gender bias in women's roles and positions: not qualified to be leaders and managers. Undue attention is paid to personnel planning, training of female. Women have few chances to study, feel complex, do not want to grow. Leaders at all levels do not concern for assignment of female cadres. Regulations of female cadres and employees are not strictly implemented.
- *The solutions for improving gender equality in politics* Policy of personnel planning should be adopted to ensure gender equality, helping women remove their complexity; assignment

and creating favorable conditions for women. Due attention is paid to "incentive" and "equality" for women. Punishment must be set for those organizations, individuals who do not strictly implement gender equality policies and policies for women.

### 2. Recommendations on Gender Equality law

Based on the above situation, regulations on gender equality in politics must be included in Gender Equality law as follows:

- Regulation on gender equality in personnel planning, promotion, appointment to positions of leaders and managers.
- Regulation on gender equality in participation in state management, management of society.
- Regulation on responsibility for duties of national defense.

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## GENDER EQUALITY IN EDUCATION – TRAINING AND RECOMMENDATIONS ON GENDER EQUALITY LAW

### GENDER EQUALITY IN EDUCATION – TRAINING

#### 1. Gender equality in education - training and matter of investment in learning

##### *Male - female take part into training*

Among total 1.913.954 persons with the educational level of primary school in 5 provinces, women occupy 50.2%. Among 1.885.588 pupils of 8 provinces girls occupy 48,2%.

The rates of female and male pupils are not different (below 2%). However, the female pupils in preliminary and high school level are very good at study. However their learning ability is reduced and quit schooling because some of them have to stay at home to help their parents with business. That girl pupil's make money to buy private necessities influences others, especially those who are poor or weak at studying, holding that earning money is better than studying. On the other hand, their family encourages them to actively join in learning. Even they support them to quit schooling to make money.

According to the assessment by many respondents. Number of people who are at the age of 18 -60 are more than men, and educational level among men and woman is the same. But in reality, men are better at receiving, absorbing information than women. It is because women have little time available to read books, and have social contacts, especially participation into training, retraining in the localities. It affects seriously education of their children.

Both men and women have demand of study to increase their knowledge. But short-term demand is lower than long-term one, and men's demand is higher than women's, including short term and long term ones. To meet men's and women's demand of study,

66.4% of the respondents said that measures to encourage them, especially women, to take part in training should be taken. Statistics by location show that small number of girl to study, large number of illiterate women, especially married women who are busy with house works and are not encouraged to study more.

##### *Investment in children's study*

89,8% of the respondents said that whoever is good at study is invested in study regardless of boy or girl. Even they face economic difficulties, there is no difference in investment in study for children regardless of boy or girl, this idea occupies 86.4% of the respondents.

The opinion of investment in children's study has seen progresses. There is a big change in knowledge of investment in children's study, from no investment in girl's study to investment in children's study regardless of boy or girl. It is of great significant for gender equality in education and training. Some said that the reason for this change is economic development. When the family is wealthy, they can afford their children's study. By contrast, if the family faces difficulty, their children have to quit schooling early and make money. On the other hand, following the social development, everyone wants their children to escape the hardship of doing farming, so they create conditions for their children to study with the hope that they would be have a stable work in the future.

However, many ideas said that knowledge is changed but action is not taken as knowledge, girls study less than boys. When they have to decide whether children are allowed to keep studying or quit schooling, parents often want their daughters to take this risk.

#### 2. Gender equality in take part in training course of cadres and civil

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### servants

Many emphasized that without training, cadres and civil servants lack of many opportunities in increasing developed society. Knowledge-based economy requires high qualification in each of products. They would be lagged behind without study.

Simultaneously many raised the shortcomings between demand of studying and work allocation while their absence in office during training.

In fact, personnel planning is done regardless of men or women in all localities. Some define quotas for women at different levels of knowledge. In training personnel, to meet actual requirements, some call on women to more take part in training. IN many agencies, enterprises, both men and women if having study demand are created condition in term of time to take part in training and receive lower salary or are provided with financial support if they study appropriate subject and gain excellent study results.

4/11 provinces have adopted policies to encourage men and women to take part in training, while priority is given to women; In Ho Chi Minh city, the rotated female staff are trained on politics, professionals, foreign language and receive 100% of salary, provided with 100% tuition fee (both at home or abroad), with subsidiary allowance of 700,000 VND per month (while 500,000 VND for man); with 60USD for training abroad (50USD for man). When defending their Master thesis, they are provided with allowance of 5 million VND, and 10 million dongs for PhD thesis. (According to Decision 375 - QD/TU on July 10th 2002). Thai Nguyen provides financial support of 1,500 VND for those who take part in training in high lands, and especially disadvantaged areas and 1000 VND in other areas. Binh Duong supports 100,000 VND per month for female staff who take part in training over 01 month Quang

Binh supports female staff who take part in training at political, administrative schools in province and central 250.000 VND/month (male 210.000 VND/month); Post graduate programs: 9 millions VND/person for woman (8 millions for man); PhD: 14 millions for woman and 12 million for man.

The main reason for this is out of spending amounts like men, women must spend on others due to their characteristics.

Although more concerns and incentives are given to women, in fact less women take part in training. Because house works hinder them from concentrating on study. They always concern for their children, house works, etc. "After getting up in the morning, women do cooking and then take children to school, etc. After that, they go to office. Therefore, they have fewer chances to take part in training than men (*man, mass organization at communal level, Hung Yen*)

It becomes more difficult for those women who have children under 36 months or 72 months. They are afraid of being sacked after training. They are pleased with the current level of knowledge, don't want to study more. Moreover, they refuse to take part in training because they have to choose between family and career.

After trained, they are assigned appropriate works because those who are created conditions to take part in training are planned to be future leaders. "We always attach importance to training and education of female cadres to grow to higher positions, upon their efforts" (*a man, local authority, Quang Binh*). The main issue is psychology of these target persons.

However, the training of cadres and employees is closely related to financial resource. Not all of the provinces are able to support employees to take part in training, especially mountain areas, and remote areas.

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It depends on budget revenues and budget balance of each locality. It makes localities to consider who should take part in training, priority is given to those who are planned to leaders but those target persons are men, women have fewer chances to study.

### RECOMMENDATION ON GENDER EQUALITY LAW

#### 40. General comments

*Signals of gender inequality in education-training* lower level of education and professional among women than that of men. Women's social knowledge is limited.

*The causes of gender inequality in education-training* gender bias remains persistent. House works burden women's shoulders. Girls are not concerned by their parents. Female and male participation in training is not concerned. Backward practice exists in locality. Cost for training is high, while it is not easy to find a job after training. There is a cause of awareness among leaders and women of enhancing knowledge for women. Women are reluctant to study because they have to do house works.

*The solutions to improve gender equality in education-training.* Increase communication

and education for community and family members in particular. Take leadership role in implementing effectively legal regulations on training and nourishment. Promote various forms of educations and adopt policies to encourage women and men to take part in training. Take measures to create equal opportunities and conditions of education at all levels for both girls and boys, creating future personnel source. Adopt policies to encourage, support women to study in term of time, tuition, kindergarten, traveling, etc.

#### 41. Recommendations on Gender Equality Law

In order to improve the situation, some provisions of gender equality in education and training should be included in Gender Equality Law:

- Regulation on gender equality in taking part in training and nourishment.
  - Regulation on gender equality in post-training labor allocation.
  - Regulation on gender equality in awarding professional rankings
  - Regulation on responsibilities of family for guaranteeing boys' and girls' right to education.
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Community demand of improving gender equality in fields  
And RECOMMENDATION ON GENDER EQUALITY LAW

### The community demand of improving the gender equality in fields

In theory, when we talk about gender, it means men and women. However, due to the actual conditions women face more disadvantages and conception of "gender" as women is common in localities. That is why almost all respondents refer to women.

Many matters related to men is rarely mentioned, except for 3.4% of respondents said that customs and local practices affect men, making them disadvantaged. While the respondents saying that local customs and practices make women disadvantaged occupy 17.1%. It is seen at some areas where ethnic minorities live and they follow the regime that "men are not inherited and taken away fatherhood" (group discussion, Dak Lak).

The women's role is high appreciated by men but it is closely linked with house works, because "although however excellent the man is, he would not develop without the woman" (*panel discussion, Dark Nong*). This assessment is based on very traditional opinion about the labor division between men and women.

The cause of gender in equality is heavily influencing traditional customs and practices, especially male superiority than female. And simultaneously women always take on many jobs at the same time and voluntarily do many jobs. Because "Vietnamese women always accept disadvantages for themselves, etc." (panel-discussion, Hung Yen).

Almost all recommend to improve gender equality in all fields:

- Improve awareness of gender equality (76%).
- Change attitude of gender equality (81.9%)
- Encourage women to join in social activities (81.6%).
- Adopt guideline documents on quote for women to participate in leadership

and management. (67.4%).

- Include gender equality into Gender equality Law (62.1%).
- Set up punishment for violation or discrimination (9.4%).

In final analysis, changing awareness of gender equality and encouraging women to take part in social works are measures that many proposed. "Gender inequality is mainly attributed to by not only men but women. Some have little knowledge, some are satisfied with themselves saying that they are women who should only depend on their husbands. It is necessary to make women more confident and self-asserted. Women never fail to endure disadvantages though gender equality law comes out. Even when Gender Equality law is adopted, women still face disadvantages because of pregnancy, child bearing. As results, women always face difficulties in taking part in social works. Therefore, it is necessary to create conditions for them to self-assert" (panel discussion, Hung Yen).

In order to improve the gender awareness, many proposed an extremely strong measure to provide certificate of gender training. It is one of the criteria for granting marriage certificate, emulation ranking, appointment, promotion, running election for Party, State and local leaders and leaders of Ministries, lined agencies.

The encouragment of women to take part in social works should be synchronized in various types of works since gender equality is related to all fields of social life and other related issues:

- Create condition for male, female to study and be provided with information in all aspects, aimed at increasing public knowledge level .
  - Removing backward, traditional thoughts and simultaneously study
-



progressive thoughts.

- Create more jobs
- Develop social insurance mechanism appropriate for self- created works.
- Improve family planning and reproductive health care.
- Increase communication and education on gender.
- Expand and promote social services, especially kindergartens to help women to return to work after maternal leave.

## II. DEVELOPMENT OF GENDER EQUALITY LAW

Almost all agreed that development of gender equality law is aimed at ensuring gender equality to be realized effectively, enabling both men and women to advance because their rights are not responding to the name if half a human being are ignored regardless men or women.

Some said that "We should have developed Gender equality law before, it is too late now. But later is better than never. Measures have been taken to lessen gender inequality and in fact it improved much. Public sector has done this better. Gender inequality remains severe in rural area. It does not mean there happens gender inequality in all organizations, agencies, it has been recorded sometimes. The largest inequality is that men are always outnumbered than women. Women are not recruited in many organizations, agencies, it clearly demonstrates gender inequality. Therefore, gender equality law is one of the progressive laws. Protection of women's rights will for sure make our society better, our gender equality works better done" (*panel discussion, Hung Yen*)

Many wished how the law is put into practice. One of the most important measures that were repeatedly emphasized is communication for different target groups. However, it is necessary to renew communication, following the example of

communication on traffic law. "I love Vietnam" program is attractive, after viewing this they will follow. If so, gender equality target will be achieved, to make society developed, gender equality should be the concern of women, leaders and all community people.

Superiority of men than women, domestic violence against women still exist, specific regulations and actions must be taken. Specific regulations, including punishment should be integrated into Gender equality law to change attitude of equality between men and women among cadres, civil servants and members of Party organization. It should be done within family first, then in society since gender equality is not realized in families; it is hard to be realized in society.

The Gender Equality Law should enable both men and women to study and share family works.

Gender Equality Law must be the law in which mechanism of enforcing the existing legal norms and policies.

## III. RECOMMENDATION ON GENDER EQUALITY LAW

### 1. Time to enforce the law.

Majority of the respondents said that sooner the law is adopted better. Some said that it takes time to undertake communication to improve awareness since traditional ideology remains strongly influential, when everything is improved, it would be the time to adopt this law.

### 2. Type of this law.

Gender equality law should be developed in the form of combination between framed and detailed regulations upon specific matters

### 3. Scope and objects of governing

- Governing gender equality in family, politics, economic, labor, health care and

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## Conclusions and recommendations on Gender Equality Law Framework

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training-education. These are not overlapping the existing legal regulations.

- Majority of the respondents suggested The law should govern the above issues for both men and women. Some suggested this law governs only women because they are more disadvantaged than men.

### 4. Contents of Gender Equality Law:

- The law needs to have regulations in relations to some matters as follows:
- Improving awareness of gender, women's roles and positions in family and in society.
- The responsibilities of both men and women for house works, family planning, decision making, economic management, property management, bringing up children after divorce.
- Develop social services, reproductive health care and reduce burden of family works.

- Recruit, use labor. Age of promotion, appointment, training. Leave when children are ill, maternal leave.
- Quota for men and women to participate in leadership and management. Personnel planning for future leadership.
- Training, budget for training and support of training (kindergarten, workloads).
- Gender statistics.

### 5. implementation machinery:

State management agency of gender equality should be provided for in Gender equality law. Specific administrative fines and criminal punishment should be specifically provided for. And other preventive methods should be included in the Law such as notice on media, information at residence dwells.

An agency of monitoring, supervision and inspectorate of gender equality should be clearly defined in the law.

### Gender Equality Law Framework

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### Conclusion

Through gender equality situation analysis in some localities, some general points are withdrawn as follows:

1. Quantitative and qualitative datas, once again, affirm that gender equality has been improved in localities in comparison with the past. However, gender inequality still remains in some areas, at different aspects which need to have strong measures to address.
  2. On equal term with men, in almost all of field, e.g., Economy – employment, political, education and training, health care, family, women face much more difficulties than men do. Stern consideration of the society to women still remains. Even though women can handle works well at home and work place, they still receive not positive comments from the public. This is one of the reasons that make women become timid and don't want to be improved.
  3. Concept of "Gender" as women is quite popular in providing information, exchange and discussion. For example, whenever gender equality is mentioned, information providers always talked about women. There were few comments about issues faced by men.
  4. Leaders, cadres and people at all levels regardless of sex, age, educational and professional levels are so interested in gender equality issue. This was proved that favorable conditions were provided in organizing activities/ events within the locality. In addition, difficulties were shared in carrying out activities and good cooperation was set up in providing information. Through discussions, many people who though the first time know and understand how gender is, gave many useful comments to improve gender equality based on their practical experiences and their neighborhood.
  5. Awareness and understanding of gender equality is diversified. Fully awareness of gender equality is reported among the group of cadres, leaders, women and men who were trained at least once in the locality. Well awareness of gender equity but inadequate belongs to those who either were trained or not equipped with gender issues. Wrong awareness of gender equality (gender is women and gender equality is to maintain traditional standards on women's and men's role, status) remains among the group who have never received training, media messages or materials related to gender issues.
  6. There were some changes of their awareness on gender and gender equality right at the round table discussions and interviews. For example, at the beginning of discussion/ interview, they showed their inadequate awareness of gender, but talking about development of gender equality law, some people intended to better understand about gender when they analyzed all aspects related to men and women. At the same time, another aspect is that in many families, members, both male and female shared their responsibilities, but they did not know it was gender equality. Through discussion, those people understood what they and other people have done was related to gender equality.
  7. In the family, housework, namely cooking, caring family members was considered women's works. Men praised women's role in the family that contribute to the development of men, children and other relatives. At the same time, family planning was also considered women's responsibility by the majority. Attitude of boy preference was not so common in
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families that had only girls and there was attitude of girl preference in families that had only boys. The reason was daughter's role in caring of parents when they got old or sick. That means this attitude is relevant to traditional role of women.

8. Women faced many difficulties in job opportunities, including high quality labor. Daily payment of women was lower than men because of their job position and traditional thinking. In addition, ability to complete work of women was also limited in comparison with because they had to do housework.
9. The ratio of school girl and school boy is equivalent at lower secondary schools and below. But the ratio of school girl at higher educational levels such as secondary schools, colleges is lower than the ratio of school boy because girls have to involve in work earlier, fall in love and get married early therefore they are lack of opportunities and determination for education. They don't want to improve their knowledge any more.

In state agencies and enterprises, the ratio of women involving training is lower than men because the rate of women in leadership plan is low and often in long-term leadership plan. In addition, due to social and family backward thinking and attitude of women themselves, it is so hard for women to arrange some time for training. Lack of interest and facilities such as kindergartens, measures to reduce burdens of house work and education, guarantee of work position after training also impacts women's participation in education and training.

10. In many men exist 2 humans with 2 opposite states. When men belonging to family, they consider housework as women's task and praise it that whatever

men do in the society, a part of main contribution belongs to the mothers, wives and daughters *"behind the success of a man, there is contribution and support from woman"*. But when men belonging to workplace, (especially being a leader, manager), they consider fulfillment of housework of women as a "disadvantage" that affect their employment. This reflects in job arrangement, promotion, comment related to women.

11. Women themselves also have many conflicts. Being a working women, they want to be paid attention in training, promotion and the State will provide appropriate regulation on retirement age, etc. However, when they belonging to family, women don't want to be sent to training, don't want to develop in their career and want to be retired earlier, etc because of their family and children. If they are asked to choose between family and career, they will mostly choose family because it is considered god mandate, etc. This affects women in leadership at all levels as well as women's participation in training and improving their knowledge in all aspects.

12. There are many reasons of gender inequality under different aspects and forms as followings:

- Gender bias, backward thinking still rootly exists in both men and women.
  - IEC activities have not been implemented effectively, systematically and comprehensively.
  - Legal regulations related to gender equality have not been implemented effectively, strictly, compulsorily.
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- Lack of powerful sanctions to combat gender-based discrimination, etc.

### Recommendation on the frame of gender equality law

#### Charter 1. General provision

**Article 1.** Object and scope of the law on gender equality

**Article 2.** Concepts: Gender and sex; gender equality; gender inequality; gender role; fixed idea about gender; gender discrimination; gender sensitivity; gender responsibility.

**Article 3.** Basic principles on gender equality.

**Article 4.** Responsibility of implementing the law on gender equality

**Article 5.** Application the inland and international laws

**Article 6.** Discriminative gender activities which are strictly forbidden.

#### Charter II: Gender equality in the fields

**Section 1.** Gender equality in family and clan.

**Article 7.** Gender equality in family labour division

**Article 8.** Gender equality in making decision, management, holding of properties

**Article 9.** Gender equality in applying family planning methods

**Article 10.** Gender equality in implementing other responsibilities

**Article 11.** Gender equality in family's clan

**Term 2.** Gender equality in politics

**Article 12.** Gender equality in promotion, appointment planning

**Article 13.** Gender equality in participating in the State management bodies

**Article 14.** Gender equality in participating in managerial, leadership apparatus

1. Gender equality in participating in managerial, leadership apparatus.
2. Gender equality in participating in key positions

**Article 15.** Gender equality in performing fatherland defense duties

**Term 3.** Gender equality in economy – labour

**Article 16.** Gender equality in opportunity to choose and decide job

**Article 17.** Gender equality in ownership, management of enterprise

**Article 18.** Gender equality in policies on enterprise

**Article 19.** Gender equality in recruitment, use and treatment of labourer

1. Gender equality in recruitment of labourer
2. Gender equality in use of labourer
3. Gender equality in treatment of labourer

**Article 20.** Gender equality in implementing social insurance policies

1. Gender equality in paying social insurance fees
2. Gender equality in enjoying social insurance policies
  - a. Gender equality in enjoying ill and pregnancy policies
  - b. Gender equality in enjoying retirement policies

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**Article 21.** Gender equality in implementing public labour duties

**Term 4.** Gender equality in the field of culture – society

**Article 22.** Gender equality in participating in training, further training

**Article 23.** Gender equality in supporting training and further training.

1. Gender equality in supporting fees of training and further training
2. Gender equality in vocational training and vocational guidance
3. Methods of ensuring gender equality in training, further training

**Article 24.** Gender equality in use arrangement after training, further training.

**Article 25.** Gender equality in granting title

**Article 26.** Gender equality in health care

1. Gender equality in initial health care
2. Gender equality in productive health care
3. Methods of ensuring gender equality in health care

**Charter III. Mechanism to maintain gender equality**

**Term 1.** Gender equality insurance in society

**Article 27.** Educating awareness on gender equality

1. Content of educating awareness on gender equality
2. Form of educating awareness on gender equality
  - a. Propagating gender equality
  - b. Educating gender equality in family, school, society
  - c. Supplying gender knowledge in bodies, units

3. Researching, evaluating change of awareness

4. Source of educating gender equality

**Article 28.** Enhancing intellectual standards of the people

**Article 29.** Creating job

**Article 30.** Developing social service system

**Article 31.** Setting up the social insurance for whole people

**Section 2.** Ensuring gender equality in making law and policy

**Article 32.** Gender equality insurance in making law and policy

1. Gender equality insurance in drafting board, editing group
2. Gender equality insurance in regulations of the draft

**Article 33.** Assessing gender equality in draft of law, policy

1. Assessing bodies
2. Principles of assessing
  - a. Principles of assessing
  - b. Principles of responsibility of the bodies having draft
3. Content, period of assessing
4. Dossier of assessing
5. Result of assessing

**Article 34.** Ensuring gender equality in referendum about drafts

**Term 3.** Ensuring gender equality in activities of bodies, units, localities and enterprises.

**Article 35.** Principles of ensuring gender equality in activities of bodies, units, enterprises.

1. Ensuring gender equality in making strategy, programme, plan.
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## Conclusions and Recommendations of Gender Equality Law Framework

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2. Ensuring gender equality in implementation of strategy, programme, plan.
3. Ensuring gender equality in examination, supervision of implementing strategy, programme, plan.
4. Ensuring gender equality in advertisement, purchase encouragement.

### Charter IV. State management on gender equality

**Article 37.** Content of State management on gender equality

**Article 38.** State management bodies on gender equality

1. State management responsibility on gender equality of the Government
2. State management bodies on gender equality

**Article 39.** Gender equality responsibility of Ministries, branches, localities

**Article 40.** Gender equality inspection

1. Gender equality inspection bodies
2. Rights and duties of gender equality inspector
3. Principles of gender equality inspection

**Article 41.** Examination, supervision of implementing gender equality

1. Responsibility of examination, supervision on gender equality implementation
2. Mechanism of examination, supervision

### Charter V. International co-operation in gender equality

**Article 42.** Principles of international co-operation in gender equality

**Article 43.** The fields of international co-operation in gender equality

**Article 44.** International co-operation in promoting propaganda, dissemination of UN conventions on human rights.

**Article 45.** International co-operation in research and support of gender equality

### Charter VI. Award and punishment

Term 1. Award

**Article 46.** Object of award

**Article 47.** Forms of award

**Article 48.** Condition of award

Term 2. Punishment

**Article 49.** Object of punishment

1. Punishment for individuals
2. Punishment for organization

### Charter VII. Execution provision

**Article 51.** Executive effect

**Article 52.** Executive guidance

## III. Some concerned issues in the Gender Equality Law Framework

### 1. Provisions in relation to improving knowledge of gender equality

**a. Purpose:** To improve the existing/persistent gender inequality, building a society toward the target of rich people, powerful nation, equal, democratic and civilized society. Improvement of knowledge of gender and gender equality among a majority of people, especially those in the areas which are seriously influenced by traditional ideology will be a key to effective implementation of gender equality-related provisions. It is shown that unless knowledge is changed, it is hard to be successful in everything.

**b. Approach:** to conduct a variety of forms such as short training courses, information and communication, providing face-to-face knowledge, communicators and trainer of



gender and gender equality. Mass media advocacy....

### *c. Advantages:*

- It was clearly reflected in Party's stance, advocacy, direction 75 years ago, and has been more clearly illustrated in Party's Resolutions and documents. It is obviously and specifically provided for in legal provisions and state policies
- Gender science has been imported and applied since early 1990s and positive results gained thanks to great efforts by agencies, organizations, especially mass organizations.
- Vietnam signed and ratified CEDAW in early 1980 and has signed about 20 international conventions and treaties of human rights. Therefore, realization of gender equality is committed to by Vietnam.
- The trend of nuclear families (i.e. only two generations live together in a family) is looming larger, which is one of the conditions to conduct communication to raise awareness of gender and gender equality.

### *d. Disadvantages:*

- Bias of traditional roles of men and women remain etched in many generations, especially among mid-age one and elders
- Stereotype of son following father, girl following mother is spreading from generation to generation.
- Women are still self-complex, and satisfied with themselves.
- Social rumors are more severe on women.

### *e. Solutions*

- Segmentation of target groups while conducting information and education of gender and gender equality. For adults, it is necessary to organize numerous short training sessions and often and continuous communication. For children at primary school ages or older, it should become one of the main subjects in school. For children at kindergarten ages, models of gender equality games should be set up and replicated.
- Participation in training of gender, and gender equality should be one of the criteria for nomination and promotion to leadership and management positions and emulation titles.
- Attention should be paid to the quality of communication and education of gender and gender equality.

In fact, few people showed their changed awareness through discussions, panel-discussions and interviews, however it is a good sign to affirm that intensive education and communication of gender equality will be contributive to effectively changing of awareness. So far, it only focuses on theory presentation, rather than showing and analysis of gender equality gender inequality perspectives for further understanding and following among people.

Improvement of communication and education of gender equality is aimed at producing dynamic, skillful staff and officers with deep understanding of the importance of gender equality to development targets of their organizations, agencies in particular and the country as a whole.

Adequate resources (human, financial and facility) should be made available for information, education and communication of gender equality.

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### **2. Provisions in relation to appraisal of gender equality in legal provisions and policies.**

*a. Purpose:* Ensure gender equality in all legal regulations and special policies which deal with matters closely associated with people, avoiding gender neutral regulations that are causes to gender gap.

*b. Approach:* State Management Body of Gender Equality must have a specialized body of appraisal of legal regulations and policies like that of Ministry of Justice or the body that does appraisal of international organization-funded projects by Ministry of Planning and Investment.

Before being submitted to Prime Minister to sign for enforcement or to National Assembly, Standing Committee of National Assembly for approval, the legal proposals, and bills must be apprised of gender equality. They are not subject to the approval without the appraisal procedures.

#### ***c. Advantages***

- Existing appraisal machineries in relation to bills and policies as references.
- Leaders and decision makers realize the gaps between legal provisions and status of implementation have different impacts on women and men, which need to be concerned for dealing with.
- State commitment to international community to realizing human rights, citizenship and gender quality.

#### ***d. Disadvantages***

- Limited knowledge of gender, gender quality among agencies in charge of policy making or law making and due attention has not been paid to improving their qualifications.
- Giving comments on the bills remains

formulism.

- Drafting legal provisions and policies does not meet the required processes, especially the timeline so that it causes difficulties in amending the legal regulations and proposals after appraisal.

#### ***e. Solutions:***

- State Management Body of Gender Equality and appraisal procedures are clearly defined in Gender Equality Law.
- It is required that Representative of State Management Body of Gender Equality must be a member of Drafting Committee or Working Group of laws and policies.

### **3. Regulations in relation to ensuring gender equality in performance of State agencies, political, social-political organizations and others (including foreign agencies and organization residing in Vietnam)**

*a. Purpose:* Ensuring all state agencies, political, social-political organizations and others pay attention to gender equality in their performance and activities aimed at effectively implementing legal regulations, especially gender equality law or related laws.

*b. Approach:* It is provided for in the law.

Simultaneously, monitoring, supervision, and periodical reporting of gender equality by state agencies, political, social-political agencies are stipulated for.

#### ***c. Advantages***

- Availability of the guidelines materials of gender mainstreaming in making and implementing policies that were compiled by NCFW in 2004 as reference.
- Some of senior leaders acknowledged

## Conclusions and Recommendations of Gender Equality Law Framework

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despite of progressive legal provision of gender equality, their implementation remains ineffective

- State commitment to the international community to human rights, citizenship and gender equality.

### *d. Disadvantages*

- Awareness and knowledge of gender, gender equality among agencies and organization are confined and attention not be paid to.
- There remain shortcomings in monitoring and supervising machineries.
- There lack of punishment in case of failure to implement or implement fully and seriously legal provisions of gender equality.

### *e. Solutions*

- Gender Equality Law defines ensuring gender quality by agencies, organization in their activities is responsibility of all staff and officials in the agencies and organizations, especially that of the leaders.
- Promoting communication of gender and gender equality in agencies and organizations in both direct ways and integrated way.

## 4. Provisions in relation to State Management Body of Gender equality

**a. Purpose:** establish a specialized agency to help the government monitor, supervise the realization of gender equality provisions in the law and other related laws. Simultaneously, guiding the appraisal of gender equality in the organizations, agencies' performances and individuals.

**b. Approach:** member of the government or ministerial agency

- If it is a member agency of the

government: it is more advantageous to establish a state management body of gender equality, especially in making request to the governmental member agency to ensure, and supplement issues related to gender equality in legal provisions, policies and specific activities.

- If it belongs to the government, it should be stipulate its functions and tasks enough powerful to implement, change or supplement gender-equality related issues in legal documents, policies and specific activities.

### *c. Alternatives*

**Alternative 1:** Establish a Gender Equality Commission that belongs to the government

**Rationale:** it was proposed at the workshop of gender equality situation in localities. Simultaneously, it was based on variety of recommendations in relation to State management agency of gender equality, including Party's organizations, National Assembly, Government and social- political organizations, even the combination of these organizations. Therefore, the alternative reflects an agency of combination among agencies in state management of gender equality.

**Functions, tasks and related issues:**

**Functions and tasks:** provide advises, recommendations to the legislature departments of Governmental Office and National Assembly office in guaranteeing gender equality in all bills and policies before they are submitted to the government, Prime Minister or National Assembly (NA), NA's Standing Committee for approval. Simultaneously, it has power to inspector, supervise and monitor the implementation of gender equality related regulations.

**Composition:** It is comprised of experienced legal expertise in drafting, implementing, enforcing and monitoring the implementation of legal provisions, experienced expertise of gender training.

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## Conclusions and Recommendations of Gender Equality Law Framework

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Commission's working machinery: some are full time officers, some part time.

Legal statute: belonging the government, has power to request the governmental agencies to implement, amend or supplement gender issues in legal provisions, policies and specific activities.

Strong points/shortcomings: one more agency that belongs to the government operates besides National Committee for advancement of women.

**Alternative 2:** strengthening National Committee for advancement of women (NCAW)

*Rationale:* Many proposed NCAW should be a state management body of gender equality.

*Related issues:*

- For the past years, NCAW performance has made contributions to narrowing gender gaps in some areas in laws and policies as well as benefiting women in reality. However, when it comes to gender equality issues, rights and interests of men must be guaranteed. It required NCAW must be a focal point of gender with one of its functions of gender review and appraisal of all programs, projects, bills and policy proposals and activities of all Ministries, lined agencies, others before their adoption or implementation.
- Structure and organization of the Committee should be upgraded. Accordingly, together with the Committee, more functional departments must be established to supervise and take a leading role in specific activities such as appraisal, research, training, advocacy, etc. Currently, such enormous functions and tasks are assumed by the Committee alone and sub-committees of Ministries, lined agencies and localities. However, personnel of these sub-committees are part-time working, their performance is not responding to their roles. Moreover, some key officials of the Committee and

sub-committees are assumed by women's union representatives. It hinders promotion of their leadership roles. That is the reason why the committee's proposals seem to be considered as the proposals made by women's union as social-political organizations rather than those made by a governmental agency.

- On various aspects, NCAW should be turned to "National committee of gender equality" as a ministerial agency rather than an agency belonging to the government. It creates favorable conditions for well and sustainable realization of gender equality that is matched with the global trend of "gender and development" turning from "women and development". Measures to deal with women's matters are special temporary ones in accordance with CEDAW.

Strong points/ weaknesses: no more new apparatus is established but strengthening, upgrading the existing machinery.

**Alternative 3:** Committee for Population, family and children and NCAW are merged and turned to Ministry of Family and Gender or Gender Equality and Family.

*Rationale:* in group discussions, panel-discussions and in-depth interviews, some proposed that international experience in state management agency of gender equality should be studied.

*Related issues:* strengthening and establishing this kind of Ministry is suitable in Vietnam's context since gender equality issues are closely associated with family affairs, gender equality in society is hardly achieved without gender equality in every family. And it is matched with the international trend.

Strong points/ weaknesses: no more new machinery is set up, but the existing machinery strengthened and upgraded. And it reduces number of the governmental agencies.

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More studies are done to ensure the uniformity and feasibility.

### **5. Provisions in relation to Vietnam Women's Union's roles**

In discussions, panel-discussions and interviews, many said that Vietnam Women's Union should be a state management agency of gender equality. As a body representing half of the population, Vietnam Women's Union has gained remarkable achievements in protecting women and children's rights and interests. The Union has profound visions of existing gender inequality. In reality, women are so disadvantaged that the union must protect them.

As a social-political organization that was founded in 1930 by the Party with missions of representing, taking care and protecting legitimate rights and interests of women, Vietnam Women's Union also assumes its function of state management as required by the Constitution. However, it is provided for in some other legal instruments, especially, Decree 19/2003/NĐ-CP dated 07/3/2003 issued by the government on responsibilities of administrative agencies at all levels for

coordination and creating favorable conditions for women's union at all levels to take part in state management, it means that its function is refined in the 3 main activities, namely formulation of laws and policies; participation in Councils, advisory boards at all levels and participation in supervision and monitoring of the implementation of legal provisions and policies. Vietnam Women's Union is hard to fulfill the above-mentioned state management functions.

However, Vietnam Women's Union's roles in implementing Gender equality law should be clearly defined in Gender Equality Law. Since traditional ideology remains raked in mind and behaviors of people, women often suffer from disadvantages in comparison with men. Therefore, it is necessary to enable women to grow as high as men in all areas of life. To that end, it is inevitable for Vietnam Women's Union to assume these roles.

Assuming relevant responsibilities defined in Gender Equality Law requires Vietnam Women's Union to conduct men-oriented activities towards gender equality.

Annex

Gender - gender equality justification and Gender equality overview through studies

## Gender - gender equality justification

### 1. Gender Justification

Historically, concept of *sex* is used to mention man or women which indicates *biological differences between men and women*. It is **borned** and identical and unchangeable in any country, nation. However, along with the economic - social development in each nation and international, it is discovered that there is also social differences between men and women a part from biological differences in all aspects of the social life. Therefore, concept of gender was known at the beginning of 80s of XX century which *refers social differences between men and women. These social differences are learnt, vary across cultures and amenable to change.*

The origin of gender differences is not "natural" that are learnt from childhood based on thinking, attitudes that is transmitted from one generation to another. Women doing housework or cultivation is not because of being female. Men doing only important task is not because of being male. Both men and women doing present tasks because they are educated/trained to implement these works since they were children. Those works are often educated/trained in accordance with model of sons do as his fathers and daughters do as mothers.

Gender and Sex are often mentioned parallel as a comparison, clarification of all aspects of gender and sex. It is proved that gender issues becomes sex issue, sometimes. For example, it is difficult for women to find jobs and high-income jobs, it's hard for them to harmonize housework with social works, and therefore sometimes they don't want to give birth daughters. Since giving birth without any specific impact, daughter is disadvantaged than son, just because when growing up, they will have to face difficulties in society.

Based on concepts of "gender" and "sex", there are relevant concepts, including:

*Gender bias* is traditional thinking on what women and men can do, need to do and should do.

Gender based discrimination means any distinction, exclusion or restriction made on the basic of gender bias which has the effect the fully enjoyment of rights and opportunities by individual.

*Gender relationship* is relations between men and women with social institutions such as law, religion, education, economic and political system... *Gender sensitization* is awareness and understanding of gender issue.

Gender responsiveness is awareness, understanding and having gender responsive action.

*Gender mainstreaming* is to ensure gender perspectives in all strategies, programs, plans, projects, policies. Laws and all activities of state, agencies and authorities and localities.

It is very essential to concotaintly consider concepts of gender and sex in analyzing issues related to men and women. It not only explains in detail and dialectic biological differences, but also states social differences more clearly.

### 2. Argument on gender equality.

In the development of Vietnam, the term of "gender equality" is used to indicate equity in all aspects between men and women. The term "gender equality" has just brought to Vietnam along with receiving science of gender. The term "equality between men and

women" is considered same meaning with the term "gender equality". However, there is another point of view that the term "equality between men and women" is narrower than the term "gender equality" because it has not expressed opportunities, conditions of men and women. It just simply expresses legal equality.

According to UN documents, *"Gender equality is women's and men's role is recognized and has the same social status. Equal conditions are provided to fully realize human rights. Equal opportunities are provided to contribute and benefit from national political, economic, social and cultural development"*.

According to this concept:

*Firstly*, gender equality affirms human rights of men and women are equal. Affirming that all forms of discrimination against men and women are not ensuring equity, limit the development and positive contribution of both men and women to the development.

*Secondly*, gender equality doesn't mean replacing/changing women's and men's role and is not an absolute rate 50/50.

*Thirdly*, gender equality is sharing of works between men and women in all 4 roles of reproduction, production, politic and community, in particular in reproductive role. It facilitates men and women to develop comprehensively. Especially, it provides favorable conditions for women to compensate for gaps of being pregnant, giving birth, doing housework and caring of family members.

The opposite term of gender equality is gender inequality which *refers treatment differently between men and women that create different opportunities, conditions in realizing rights and responsibilities in all sectors*. All forms of gender inequality includes

work burden, discrimination, economic and political inequality, stereotypes and sex-based violence.

Consequence of gender inequality postpones development, limit women's learning which effect to children. At the same time, gender inequality also impact to general labour productivity and may increase corruption.

Gender inequality is caused by heavier social value tied to men in comparison to women. At the same time, biological differences between men and women are considered determined factor to argue that men and women are not equal in term of social role. This makes women become subordinate, make women's low status in the political, economic, social and cultural fields. It is necessary to raise gender awareness, eliminate gender bias and male preference to female thinking. In addition, gender should be integrated into activities, national programs and formulation of law and policy related to gender equality.

## II. MAIN FINDINGS OF GENDER EQUALITY FROM STUDIES

### 1. Gender equality in family

Studies have shown that almost 80% of women are main doers of housework in their families. This results from the traditional thinking that housework is suitable for physical health of female and of their obligations as well<sup>1</sup>. 77,6% do the washing and 43,3% take care of children regularly. Wife and husband share the care of their children constitutes 52,1%; however, women still play an important part. Men and women

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<sup>1</sup> Vietnam Women's Union and UNICEF, 2000. Women and children rights – gender sensitivity and rights in line with UNICEF's approach to focus areas.



share the care of other members in family constitute 63%<sup>2</sup>.

Presently, it is known that housework is of women's and earning money is of men's. In fact, 96,7% of person asked agree that both men and women have to take responsibility of earning money, but only women is required to do housework. Women who don't take care of housework well is criticised more severely than men who don't earn enough money to feed their family<sup>3</sup>.

According to 2000 – 2001 survey conducted by Centre for Family and Gender Science Study, 49,1% persons asked were hunger for sons and this percentage in rural sector was higher than in urban sector. 98,4% persons asked insisted that son should receive bigger divided assets.

## 2.2. Gender equality in politic<sup>4</sup>

Vietnam President has never been a women yet. There's been 2 female vice presidents since 1945. Women leaders has been increased in number but not considerable in comparision with men leaders. The number of female members of parliament of XI tenure stands at 2/3 of male members (equivalent to 27,3%). Female members working full time as chairpersons of Committees and Councils of the National Assembly are only of the Committee for Social Affairs and the Committee for Culture, Children and Adolesences Education. Proportion of women in People's Council for the 2004 -2009 term is higher than the previous term but hasn't met

the target of 25% and 27% in provinces and cities respectively.

Number of women in leadership in ministries, agencies and people's committees at all levels is also lower than men, which is similar to the current situation of the National Assembly and People's Council at all levels. Almost women ministers are of social affairs other than economic, finance, justice, foreign affairs, etc.

In general, number of female cadres is still small, increases slowly and not synchronized. In elective bodies, the number has been increased higher but few women take key positions. Moreover, young female cadres are not much.

## 2.3. Gender equality in economic and employment<sup>5</sup>

Both of the ratios of men and women in economic activities stands at 86% but are different in industries: almost men work in high technology sectors while almost women work in garment, textile and hospitality industry and domestic work... Normally, women are the first casualties of staff reduction policy. They get lower salaries than men do. In particular, wage per hour of women is 84% of men's .

## 2.4. Gender equality in education<sup>6</sup>

Schoolgirls in primary and secondary education account for almost 50%. Ratio of

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<sup>2</sup> Tran Han Giang – Temporary Director of the Institute for Family and Gender – National Institute for Social Science and Human Culture.

<sup>3</sup> Tran Han Giang – Temporary Director of the Institute for Family and Gender – National Institute for Social Science and Human Culture.

<sup>4</sup> Committee for Social Affairs of the National Assembly, 2004.

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<sup>5</sup> Tran Han Giang\_Temporary Director of the Institute for Family and Gender, National Institute for Social Science and Human Culture.

<sup>6</sup> Tran Thi Minh Chanh – Committee for Social Affairs of the National Assembly, 2003.

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female students is increasing gradually compared with male students. However, proportion of illiterate female remains high.

The numbers of female and male teachers, girls and boys of all level education are increasing year on year. The difference in number of girls and boys at universities and colleges of the term 2001 – 2002 was not considerable:

- Students in progress of Universities: 57.2 male, 42.8 female. Enrollees of Universities: 56.2 male, 43.8 female.
- Students in progress of Colleges: 50.3 male, 49.7 female. Enrollees of Colleges: 51.2 male, 48.8 female.

The ratio of male students in progress and enrollees is 0.6% - 4.4% higher than the ratio of female students in progress and enrollees.

Though, unofficial statistics of the Ministry of Education and Training show that till now about 25% of graduates haven't taken working nomination decisions at universities and colleges, of which girls are rather numerous. Particularly in Hanoi and Ho Chi Minh city, there are thousands of unemployed graduates now. This is a great loss for society.

There are 2 following reasons why it is difficult for female graduates to find jobs: Firstly, backward thinking of male preference exists in many bodies and enterprises. Secondly, big gap in living standards in rural sector and urban sector makes graduates stay in cities to find jobs. These lead to imbalance in female intellectual allocation in particular and human resource allocation nationwide in general.

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