

**A Gender Analysis to Prevent Child Labour in  
Viet Nam**

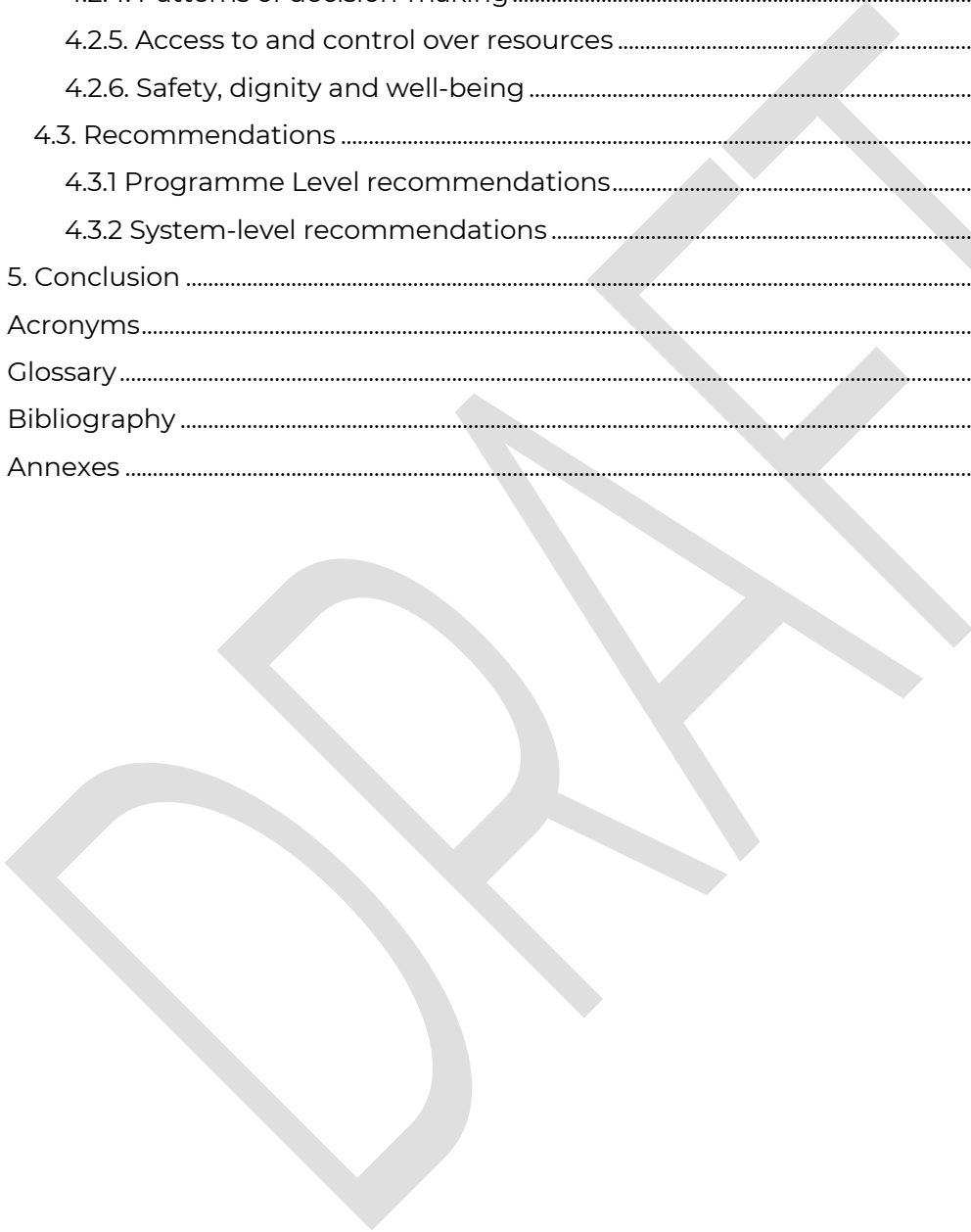
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Executive Summary .....	4
1. Introduction .....	7
1.1 Work No Child's Business programme .....	8
1.2 Gender Analysis Aim, Scope, and Research Questions .....	10
2. Background and Context .....	12
2.1 Viet Nam's achievements towards sustainable development and decent work for all .....	12
2.2 Gender equality in Viet Nam .....	14
2.2.1 Laws and policies .....	14
2.2.2 Education and Economy .....	15
2.2.3 Impact of COVID-19 Pandemic .....	15
2.2.4 Other emerging concerns and dimensions .....	16
2.3 Child labour in Viet Nam .....	17
2.3.1 Defining child labour .....	17
2.3.2 Normative frameworks and programmes .....	18
2.3.3 Child labour risk factors .....	19
2.3.4 Child labour and education .....	22
2.3.5 COVID-19 and child labour .....	24
2.4 Gender dimensions of child labour in Viet Nam .....	25
3. Methodology .....	27
3.1 Conceptual approach .....	27
3.2 Research Tools and Methods .....	28
3.2.1 Literature Review and Secondary Data Analysis .....	28
3.2.2. Primary data collection .....	29
3.2.3 Transcription, analysis, and draft report writing .....	34
3.3 Ethical Considerations .....	34
3.4 Study Limitations .....	35
4. Findings and Recommendations .....	35
4.1. Findings from the literature review .....	42
4.1.1. Laws, policies, regulations and institutional practices .....	42
4.1.2. Social norms, beliefs and practices .....	43
4.1.3. Roles, responsibilities and time use .....	46
4.1.4. Patterns of decision-making .....	50
4.1.5. Access to and control over resources .....	52
4.1.6. Safety, dignity and well-being .....	57

4.2 Findings from primary data in Dong Thap and HCMC.....	62
4.2.1. Laws, policies, regulations and institutional practices.....	64
4.2.2. Social norms, beliefs and practices .....	66
4.2.3. Roles, responsibilities and time use .....	68
4.2.4. Patterns of decision-making .....	70
4.2.5. Access to and control over resources .....	71
4.2.6. Safety, dignity and well-being .....	73
4.3. Recommendations .....	80
4.3.1 Programme Level recommendations.....	80
4.3.2 System-level recommendations.....	85
5. Conclusion .....	88
Acronyms.....	90
Glossary.....	91
Bibliography .....	94
Annexes .....	100



## Executive Summary

There is broad consensus on the importance of the gender dimension in understanding child labour. Gender can determine, to a large extent, the participation and characteristics of the work performed by girls and boys, and consequently their development and employment opportunities. There are several economic, sociological and cultural explanations for why girls and boys engage in different working activities.

This report analyses and discusses the gender differences and gender inequalities that exist and their linkages to child labour in Viet Nam by identifying the risk and protective factors driving gender inequalities. The *Gender Analysis for Prevention of Child Labour* was undertaken on behalf of UNICEF Viet Nam in collaboration with the Ministry of Labour, Invalids and Social Affairs (MOLISA), and the Stop Child Labour Coalition (hereinafter referred to as the Alliance) as part of the *Work: No Child's Business – Joining forces to scale up action against child labour (WNCB)* programme.

The research involved a basic literature review and primary data collection in two locations of Dong Thap and Ho Chi Minh City to achieve the following objectives:

- 1) Identified key issues/drivers contributing to gender gaps and inequalities, its linkages to child labour and other vulnerabilities that facilitate child labour, such as school dropout, unsafe migration, poverty, unemployment, social norms, gender-based violence risks and vulnerabilities, and the adverse impact of COVID-19 (including public health measures and its secondary impacts such as loss of livelihoods);
- 2) Provided insights into equitable access to opportunities, including equal education opportunities and retention (such as school-based violence and sexual orientation, gender identity and expression [SOGIE] violence and discrimination); and gender barriers to transition to decent work and
- 3) Provided evidence and recommendations for promoting gender-transformative policies and interventions to inform the programme's new phase of planning and programming; and recommendations for gender-responsive legislation on child labour and interventions for child labour prevention and elimination.

Two overarching research questions guided the study:

- 1) What gender-related risk and protective factors causes/drives and defines child labour in the informal sector for boys and girls (5-17) in relation to the WNCB programme's target groups in the one district in Dong Thap province and two districts (rural and urban) in HCMC in Viet Nam?
- 2) What can the WNCB programme do to better address the risk factors of child labour in the informal sector and to promote the protective factors for boys

and girls (5-17) in the specific target groups in Dong Thap and HCMC in Viet Nam? And what are the implications for gender-responsive legislation on child labour and broader interventions for child labour prevention and elimination?

Primary data collection found that the key protective factors preventing child labour included having consistent, responsive caregiving from parents or primary caregivers, the opportunity to go to school, have an education and access to learning opportunities such as vocational skills training, and living in a happy and protective environment, as well as access to recreational activities and peer relationships. Risk factors that lead to child labour and that reinforced gender inequalities included divorced parents, domestic violence, substance misuse or alcoholism of caregivers, conflict between family members, a challenging environment at school including the presence of school violence and bullying by other students, not having friends, and teachers who put pressure on students. Discrimination in the household in which sons are preferred was also raised as a key risk factor. The literature review, on the other hand, found that risk factors included occupational segregation in which women are less likely to be in certain types of work, domestic and care responsibilities of adolescent girls which limits their engagement in higher education, the lack of employment benefits in the informal sector, and barriers to women's access to leadership roles.

Findings from this gender analysis show that the intersectionality of gender strongly influences, drives, and defines child labour in the WNCB project locations in Viet Nam both with regards to causing children to become engaged in child labour, but also by defining the types of labour they are engaged in. Additionally, findings indicate that there is a correlation among the risk or protective factors that drive gender inequalities (such as gender norms, traditional roles and responsibilities, lack of social protection, and poverty) and those that drive or lead to child labour more broadly (such as poverty and lack of decent employment amongst adult family members), and specifically the types of roles girls and boys are involved in. This shows that the existence of one factor often increases the chances of experiencing another (for instance, in Viet Nam traditional beliefs and social norms related to gender roles and responsibilities lead to segregation of employment with females more likely to be in the informal sector where they have less access to social protection, which can further drive migration or a cycle of poverty). Similarly, the clustering of protective factors may occur either because protection in one area leverages protection in others (for example, the decent employment of adult caregivers drives greater household income that is not as strained by economic shocks, greater shared division of household tasks between women, men, girls and boys, and the promotion of post-secondary education of girls).

The findings and recommendations in this report are hoped to support the Alliance, MOLISA and their partners' strategic approach, interventions, and dialogue with

community-based mechanisms in the programme's locations with a focus on the prevention of child labour. They may also guide the general strategic approach, interventions, and dialogue with national policymakers and duty bearers to promote longer-term and sustainable solutions related to the prevention of child labour in Viet Nam. Recommendations are separated into programme and system level as well as by gender domain. It is through the strong commitment of all actors to develop relevant policies and effective strategies to address the factors that drive gender inequalities and their linkages to child labour that the reduction and prevention of child labour in Viet Nam will be achieved.

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## 1. Introduction

There is broad consensus on the importance of the gender dimension in understanding child labour. Gender can determine, to a large extent, the participation and characteristics of the work performed by girls and boys, and consequently their development and employment opportunities. There are a number of economic, sociological and cultural explanations for why girls and boys engage in different working activities.

Any meaningful action against child labour must be part of broader efforts to guarantee children their rights, including the right to education, and prepare them to enter decent employment once they have reached the legal working age. This vision stems from the combined mandates of the UN Convention on the Rights of the Child (UN CRC), ILO Convention 138 on the Minimum Age for Employment, and ILO Convention 182 on the Worst Forms of Child Labour.

According to recent estimates, child labour has risen for the first time in two (2) decades as a result of the COVID-19 pandemic to approximately 160 million children globally – an estimated 63 million girls and 97 million boys<sup>1</sup> – almost half of which are engaged in hazardous forms of labour.<sup>2</sup> Of these children, an approximate 62 million reside in the Asia Pacific region.<sup>3</sup> Globally, child labour is more common in rural areas with approximately 122.7 million rural children engaged in child labour compared to 37.3 million urban children, meaning that the prevalence of child labour in rural areas is close to three times higher than in urban areas.<sup>4</sup>

In Viet Nam, while progress has been achieved in recent years, child labour remains prevalent. The 2018 National Child Labour Survey estimates that around 1.1 million children are categorized as child labourers; 5.4% of the child population. Though there is a limited body of gendered data and evidence in relation to child labour in Viet Nam, global evidence suggests that gender roles often dictate occupations and tasks undertaken by boys and girls, their conditions and hours of work and their educational opportunities. For instance, while boys are more likely to undertake activities in agriculture (62.8% for boys versus 37.2% for girls) and industry (68.5% for boys versus 31.5% for girls) and outnumber girls in hazardous labour, girls outnumber boys in the service sector and unpaid work.<sup>5</sup> Although the survey does not include unpaid domestic work as child labour, it indicates that girls spend significantly more hours in unpaid domestic chores than boys. Girls' unpaid

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<sup>1</sup> According to UNICEF and ILO global estimates of child labour (2020), the involvement in child labour is higher for boys than girls at all ages. In absolute numbers, boys in child labour outnumber girls by 34 million. However, when the definition of child labour expands to include household chores for 21 hours or more each week, the gender gap in prevalence among boys and girls aged 5 to 14 is reduced by almost half.

<sup>2</sup> ILO, 2021b

<sup>3</sup> ILO, 2021b

<sup>4</sup> Ibid.

<sup>5</sup> ILO and MOLISA, 2020

reproductive and care work often comes in addition to paid employment and is seldom given any specific economic value or recognised as work. Compared to boys, girls are also more likely to be engaged in multiple tasks, and this “multitasking” may drastically reduce their opportunities for schooling and socialising in addition to increasing their exposure to sexual harassment and other forms of gender-based violence (GBV).

This report analyses and discusses the gender differences and inequalities that exist in Viet Nam, and their role in prevention of child labour.<sup>6</sup> The research was undertaken on behalf of UNICEF Viet Nam in collaboration with the Ministry of Labour, Invalids and Social Affairs (MOLISA), and the Stop Child Labour Coalition (hereinafter referred to as the Alliance) as part of the *Work: No Child's Business – Joining forces to scale up action against child labour (WNCB)* programme. The findings and recommendations can inform the Alliance, MOLISA and their partners' work on focus preventing child labour at various levels.

This report provides a gender analysis from 2 provinces in Viet Nam to outline the intersection between gender and child labour issues in Viet Nam and the role gender plays in contributing to these issues.

### **1.1 Work No Child's Business programme**

The *Work No Child's Business (WNCB)* in Viet Nam is part of the Stop Child Labour initiative (coordinated by Hivos), UNICEF the Netherlands and Save the Children the Netherlands. It operates in the context of a broader National framework in Viet Nam on the Prevention and Reduction of Child Labour (2021 to 2025) that has a vision towards 2030 development goals and is led by Ministry of Labour, Invalids, Social Affairs (MOLISA) in collaboration with other related departments and with support from ILO and UNICEF.

The WNCB programme aims to empower children's access to education and enhance their employability within a supportive family and community environment; improve access to youth employment; support the Government to enforce child rights-based laws and to implement policies on child labour, education, youth empowerment, and social security; and to ensure that the private sector prevents and addresses child labour.

The programme participants are children subject to or at risk of child labour, especially migrant children in Ho Chi Minh City (HCMC), including its industrial zones, and in one rural location of Dong Thap province in the Mekong Delta, which has a high rate of out-migration and children who have been left-behind. The programme also focuses on migrant and other marginalised children vulnerable to child labour outside the ‘factory gates’ in HCMC as well as in the informal sector in

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<sup>6</sup> The literature review identified the risk and protective factors driving gender inequalities and their linkages to child labour more broadly throughout Viet Nam, while primary data location was specific to the WNCB programme's target locations of Dong Thap and Ho Chi Minh City.



urban communities. Its outcomes include empowering children to pursue an education and (future) employability within a supportive family and community environment, increasing enrolment and retention in quality formal education or improving access to youth employment, and supporting the government to enforce relevant child rights-based laws and policies on child labour, education, youth economic empowerment and social security.

The WNCB programme's reaches marginalised children by considering structural inequalities within societies based on gender, ethnicity and social status. By seeking to better understand how gender constructs impact childhood and child labour, this study contributes to the WNCB programme's theory of change outcomes<sup>7</sup>:

- Outcome 1: Children are empowered and have improved access to (quality) education and youth employment within a supportive family and community environment.
- Outcome 2: Governments have enforced relevant child-rights based laws and have implemented policies on child labour, education, youth economic empowerment and social security.

Within the WNCB programme, gender plays a crucial role, both as one of the main thematic areas and as a crosscutting issue at the country level. In Viet Nam the roles of women and girls and men and boys are known to influence risks for children, such as school dropouts and child labour. For instance, the burden of housework and childcare for younger siblings often falls on girls, making them more likely to be tasked with domestic chores. Estimates show that more boys, on the other hand, are involved in hazardous work, particularly work involving physical hazards. The programme activities aim to promote gender equality in schools, workplaces (for those who have attained legal working age), households, and communities with a view to influencing the known risks.

This gender analysis will support the WNCB programme in identifying the risk and protective factors driving gender inequalities and their linkages to child labour. The better understanding of these contributing factors will enable the programme to tailor activities in such a way as to maximise efforts related to the reduction and prevention of child labour in Viet Nam.

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<sup>7</sup> The wider WNCB programme also includes Outcomes 3 and 4; however, the WNCB team in Viet Nam did not prioritise these outcomes, as they were not deemed relevant for the purpose of this gender analysis. Instead, the literature review facilitated a 'light touch' review of some business regulations (though very few were identified) in place in the formal sector, as well as the legislation and policies the government of Viet Nam has put in place to eradicate child labour. They are as follows: Outcome 3: The private sector takes full responsibility for preventing and addressing child labour; Outcome 4: The EU, Dutch government and international organisations act in support of the elimination of child labour and fulfil their obligation by setting and reinforcing due diligence policies and laws.

## 1.2 Gender Analysis Aim, Scope, and Research Questions

This gender analysis aimed to illuminate the dynamics and role of gender inequalities in the prevention of child labour within the *Work No Child's Business* programme. It seeks to better understand how gender constructs impact childhood, how norms and practices of boys and girls influence their roles and identities at individual, family, community, and societal levels. It also looks at laws and policies related to gender, child rights and protection, and their implementation in Viet Nam; and finally, it seeks to explore gender inequalities and disparities through the broader lens of social exclusion and poverty.

The research involved a basic literature review and primary data collection to achieve the following objectives:<sup>8</sup>

- 1) Identify key issues/drivers contributing to gender gaps and inequalities, its linkages to child labour and other vulnerabilities that facilitate child labour such as school dropout, unsafe migration, poverty, unemployment, social norms, gender-based violence risks and vulnerabilities, and the adverse impact of COVID-19 (including public health measures and its secondary impacts such as loss of livelihoods);
- 2) Provide insights into equitable access to opportunities, including equal education opportunities and retention (such as school-based violence and sexual orientation, gender identity and expression [SOGIE] violence and discrimination); and gender barriers to transition to decent work and
- 3) Provide evidence and recommendations for promoting gender-transformative policies and interventions to inform the programme's new phase of planning and programming; and recommendations for gender-responsive legislation on child labour and interventions for child labour prevention and elimination.

Two overarching research questions guided the study:

### **Main Research Questions**

1. What gender-related risk and protective factors causes/drives and defines child labour in the informal sector for boys and girls (5-17) in relation to the WNCB programme's target groups in the one district in Dong Thap province and two districts (rural and urban) in HCMC in Viet Nam?
2. What can the WNCB programme do to better address the risk factors of child labour in the informal sector and to promote the protective factors for boys and girls (5-17) in the specific target groups in Dong Thap and HCMC in Viet Nam? And what are the implications for gender-responsive

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<sup>8</sup> These objectives are in accordance to the original Terms of Reference for this gender analysis. limitatin

legislation on child labour and broader interventions for child labour prevention and elimination?

To promote success in narrowing gender inequalities related to child labour in the WNCB programme locations in Viet Nam, this gender analysis investigates the risk and protective factors from a gender perspective, employing a gender-sensitive approach. This gender analysis deepens the understanding of community-based, local, and national protection processes that support positive coping mechanisms and resilience of children and their families, which the WNCB programme can continue to build on and strengthen. It does so by putting the views, perceptions, and experiences of children at risk of child labour, the parents or caregivers of child labourers, and other relevant stakeholders at the forefront. Its findings and recommendations, therefore, can be used to inform decision-making at governmental and non-governmental levels to reduce and prevent child labour.

### ***A note on terminology***

#### **'Child' and 'children'**

In the United Nations Convention on the Rights of the Child (UN CRC), the terms **'child'** and **'children'** are used to refer to those individuals under the age of 18.<sup>1</sup> This is a legal age definition that includes adolescents (the age group for which is generally accepted as being between 10-18). However, individual diversity and cultural specificity make it difficult to define a social age for the start or end of childhood – that is, when a person is considered to be a 'child' within their culture and context. In the context of Viet Nam, and in accordance with Viet Nam's 2004 Law on Child Protection, Care and Education, children, as prescribed in the law, are Vietnamese citizens under the age of 16 years. While all of these approaches are helpful for understanding a child's experience, the goal of this gender analysis is to inform policies related to gender and child labour. Subsequently, the sample of the analysis only includes children under the age of 18, specifically between 12 to 17 years of age.

#### **'Child labour' and 'working children'**

Not all working children are considered to be in child labour. A child involved in child labour is a child working in contravention of legal regulations and whose labour activities hinder or negatively affect their physical and mental health and development.<sup>9</sup> (See Figure 1 for further details). This report primarily refers to children engaged in child labour. However, there is also reference to working children and specifically those who may at be at risk of engagement in child labour. Because it is challenging to involve children in child labour as respondents in primary data collection, the focus group discussions included mostly those

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<sup>9</sup> ILO and MOLISA, 2020

children at risk of child labour, and to a lesser extent, children engaged in child labour.

### **'Domestic chores' and 'domestic work'**

The child labour category in Viet Nam excludes children involved in domestic chores and/or chores at school or those not involved in heavy, dangerous and hazardous agricultural work in small scaled home-based businesses.<sup>10</sup> Domestic chores refers to household chores undertaken by children in their own homes in reasonable conditions and under the supervision of those close to them.<sup>11</sup> Differentiating between domestic chores and domestic work, child labour in domestic work refers to situations where domestic work is performed by children below the relevant minimum age in hazardous conditions outside of their home. Children doing household chores in their own home and children in domestic work (in a third party household) might perform similar tasks; however, in the first case, the employment element is missing. Domestic work has an important gender dimension. It is therefore referenced throughout the findings of this report and should be distinguished from domestic chores.

## **2. Background and Context**

### **2.1 Viet Nam's achievements towards sustainable development and decent work for all**

To be sustainable, development must bring together the economic, social and environmental spheres. In the quest to achieve sustainable development, the role of labour markets is central. Ensuring decent work for all is a goal in itself, but it is also an essential means to achieve poverty reduction, and to build a more equalitarian society where all girls and boys and women and men have a voice and enjoy access to equal opportunity, guarantee lifelong access to learning, contribute to resilient communities, and support environmental sustainability.<sup>12</sup> Viet Nam has made clear its commitment to achieving sustainable development and decent work for all by adopting a country-specific list of Sustainable Development Goal (SDG) indicators and an action plan for their implementation. With several thriving sectors, including tourism<sup>13</sup>, trade and manufacturing, Viet Nam's economy has been growing uninterruptedly for over three decades.<sup>14</sup> According to the 2018 Human Development Index, this economic prosperity has spread to many other areas of life, including health (through life expectancy at birth), education (through average years of schooling) and standard of living (through gross national income

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<sup>10</sup> Ibid.

<sup>11</sup> ILO, <https://www.ilo.org/ipecc/areas/Childdomesticlabour/lang--en/index.htm>

<sup>12</sup> ILO, 2019

<sup>13</sup> Note that this was prior to the global COVID-19 pandemic.

<sup>14</sup> ILO, 2019

per capita).<sup>15</sup>

In addition to these economic shifts, over the last few decades Viet Nam has also experienced remarkable social changes, accompanied by a demographic transformation. Health and education services have improved and became more widely accessible, poverty has significantly declined, and the quality of life has increased overall.<sup>16</sup> Most of these gains have been equitably distributed between women and men, contributing to narrowing gender gaps and fostering women's empowerment. However, the economic liberalisation has also brought less positive aspects, and Viet Nam's society and economy are still facing challenges, most recently as a result of the global COVID-19 pandemic.

In general, Vietnamese workers do not experience difficulties in accessing jobs, mainly because there is a large informal sector.<sup>17</sup> The reduction of poverty and emergence of the middle class have occurred unequally across provinces, leading to pronounced inequalities, especially between urban and rural areas.<sup>18</sup> Viet Nam has seen gains in educational attainments of its labour force, but technical and professional qualifications have remained limited with slow improvement, and the gap between regions varies significantly.<sup>19</sup> The working conditions for low-skilled workers entail long hours and low pay. The Mekong River Delta and Central Highlands experience the lowest educational attainments.<sup>20</sup> Additionally, although the levels of poverty have declined remarkably and rapidly, inequality persists and is possibly growing.<sup>21</sup> Furthermore, although gender gaps have been bridged to some extent in many areas, adolescent girls and women of working age carry a heavy double burden as they are often expected to be the primary caregivers at home while working full-time in the labour market.<sup>22</sup> In addition, data show women's limited access to managerial positions and disadvantage in securing an equal wage.<sup>23</sup>

Internal migrants in Viet Nam tend to be young and female, moving from rural to urban areas.<sup>24</sup> In 2015, the number of migrants was estimated at about 1.2 million, 57.7 per cent of who were women.<sup>25</sup> Migrants aged from 15 to 24 constituted nearly half of all migrants (47.3 per cent).<sup>26</sup> The Government, in recognising the link between labour migration and development, continues to promote migration as an employment and poverty-reduction strategy.<sup>27</sup> To this end, it has instituted

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<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> ILO, 2022

<sup>18</sup> ILO, 2019

<sup>19</sup> ILO, 2022

<sup>20</sup> Ibid.

<sup>21</sup> ILO, 2019

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> ILO, 2019

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> IOM, 2020

numerous laws, policies and programmes<sup>28</sup> related to labour migration. However, gaps in the regulatory oversight of recruitment agencies, combined with limited administrative and criminal law enforcement, allow unethical recruitment practices to continue, putting migrant workers at risk of forced labour and human

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Both Viet Nam's progress and challenges towards sustainable development and decent work for all highlight key issues related to gender inequality in the labour market. Child labour undermines efforts to eradicate poverty, hunger, and malnutrition, and to reach goals related to sustainable development.

## **2.2 Gender equality in Viet Nam**

Viet Nam maintains a positive reputation as a country where women enjoy formal equality under the law, have high workforce participation and access to economic opportunity, and ever improving health and higher education attainments.<sup>30</sup> Viet Nam is ranked as 87 in the World Economic Forum's Gender Equality Index in 2021. There are positive results also in terms of gender equality goals in Education and Health, the status of which is outlined below.

### **2.2.1 Laws and policies**

In recent years, Viet Nam has adopted several measures to improve inclusivity on a national scale. In 2006, laws on Gender Equality were passed. A new constitution was adopted in 2013, recognising gender equality and prohibiting gender-based discrimination, while the Land Law (2013) allows for both husbands and wives to be issued land-use certificates.<sup>31</sup> In addition, the government amended the Labour Code in 2012 to prohibit sexual harassment at work and made a further amendment in 2019 to remove the list of prohibited occupations for women. Previously, women were excluded by law from certain occupations considered as harmful for child-bearing and parenting functions. Due to the amendment in the Labour Code, women will have a right to choose whether to engage in such occupations, after being fully informed of the risks involved. The law on Vietnamese Nationality was also amended in 2014 to improve refugee and stateless women's access to the Vietnamese nationality.

While Viet Nam has made good progress in laws and policies, gender equality in politics remains as a key gap. Although 26.7% of parliamentarians are women, to date there are still no women ministers, and there has never been a woman head

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<sup>28</sup> Such as Law No. 72/2006/QH11. Laws, policies and programmes include those related to Vietnamese who migrate to work abroad under labour contracts. The Government of Viet Nam has signed several bilateral labour migration agreements to improve protections of Vietnamese migrant workers. The policies also deal with migrants' accessibility to social services as well as disorientation grounded in the differences in socio-economic development between the place of departure and the place of arrival.

<sup>29</sup> ILO, 2022

<sup>30</sup> UN Women, 2021

<sup>31</sup> Equilo, 2022a and 2022b

of state.<sup>32</sup> Vietnam is one of nine countries globally that have no female ministries.<sup>33</sup>

### 2.2.2 Education and Economy

Viet Nam is in fact close to achieving gender parity in certain educational outcomes: 97 per cent of women and 96.2 per cent of men complete primary school, while 93.6 per cent of women and 96.5 per cent of men are literate.<sup>34</sup> Viet Nam achieved gender parity in tertiary enrolment rates.<sup>35</sup> In terms of Economic Participation and Opportunity, Viet Nam's performance is mixed. Overall, Viet Nam is one of 26 countries that has closed at least 76.5% of this gap, with relatively small income gaps by international comparison. A woman's income is about 81.9% of a man's income, which positions Viet Nam among the top 11 countries on this indicator. Also, women actively participate in the labour force (79.6%, 92% gap closed), and represent a high share of skilled professionals (52.6%). However, there are still very few women in senior or managerial roles (26%) or in firms' top management positions (22.4%).<sup>36</sup> In the workplace, women face occupational segregation, a persistent gender wage gap, poor working conditions, and limited access to decision-making positions.<sup>37</sup> While being highly economically active, women also discharge a disproportionate amount of family responsibilities. They spend twice as many hours as men producing services for their own household, such as cleaning, cooking, or caring for family members and children.<sup>38</sup> A lower share of men are involved in each of these activities, and according to an ILO report in 2021, close to 20 per cent of men reported that they do not spend any time completing these activities at all.<sup>39</sup>

### 2.2.3 Impact of COVID-19 Pandemic

There are additional emerging concerns;<sup>40</sup> the global COVID-19 pandemic alone has not only exacerbated existing labour market inequalities, but has also created new ones. In 2019, there was virtually no difference between male and female unemployment rates in the country. By the end of the third quarter of 2020, a gap had appeared, to the disadvantage of women, especially young women. Women in Viet Nam experienced an especially severe reduction in working hours at the beginning of the pandemic, and left the labour market at a higher percentage than men.<sup>41</sup> During the latter half of 2020, those women who were still employed worked longer hours than usual, and in addition to longer working hours, spent almost 30 hours per week on household work.<sup>42</sup> These elements suggest that the pandemic

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<sup>32</sup> World Economic Forum, 2021

<sup>33</sup> Ibid.

<sup>34</sup> Equilo, 2022a and 2022b

<sup>35</sup> World Economic Forum, 2021

<sup>36</sup> Ibid.

<sup>37</sup> Equilo, 2022a and 2022b; ILO, 2021a

<sup>38</sup> ILO, 2021a

<sup>39</sup> Ibid.

<sup>40</sup> UN Women, 2021 specifically notes: women's rebound and recovery from COVID-19 in workforce participation and business; women's access to skills, qualifications and jobs in an increasingly digitalised economy requiring labour literacy in new technologies; gender wage and pension gaps leading to impoverishment in later life; urban development that reflects women's realities and preferences; managing the restructuring of the agricultural sector which facilitates women's transition to new income opportunities; and the low involvement of women in information, decision-making and plans relating to climate change resilience.

<sup>41</sup> ILO, 2021a

<sup>42</sup> Ibid.

might have made women's double burden heavier than before the crisis.

#### 2.2.4 Other emerging concerns and dimensions

Despite efforts to prevent human trafficking, Viet Nam also remains a source country where women and children are recruited for sexual and labour exploitation.<sup>43</sup> The General Statistics Office (GSO) estimates that the detected trafficking cases identified from 2012 to 2017, approximately 90 per cent were women and girls. Further, contrary to the constitution, which guarantees all citizens the same rights, ethnic minorities have limited access to education, disproportionately high poverty rates, and restricted land rights. In terms of the LGBTQI+ community, although same sex relations are legal in Viet Nam, same-sex marriage is not, and there are no legal protections against employment discrimination or hate crimes.<sup>44</sup> The status of women and other social groups in Viet Nam is not homogenous, and individuals and communities at the intersection of socially excluded identities experience higher levels of discrimination and vulnerability. Equality in Viet Nam's labour force can only be built if there is shift in approach, from protecting women, to providing equal opportunity to all workers, irrespective of their sex.

At an aggregate level, however, closing gender gaps in Viet Nam must move beyond human capabilities towards addressing the barriers and biases to women's empowerment, participation, and safety and security. This can only be achieved with attention to the compounded negative impact of gender and other socio-economic variables – to 'intersectionality'.<sup>45</sup> Despite significant progress, harmful gender and cultural norms persist and are reflected in social, economic, and political institutions that disadvantage women.<sup>46</sup> Deeply embedded patriarchal cultural values, social attitudes, and unequal power relations hinder the effective implementation of gender-related legislation and policies.

In addition, existing gender gaps are coalescing with a new generation of equality concerns. Persistent gaps include:

- A widening sex ratio at birth in the context of son preference;
- Stereotypes on gender-appropriate fields of study, leading into a narrow range of occupations;
- Vulnerable, unprotected and low paid employment among women;
- Bias against women in leadership, especially with respect to holding executive positions or in public office at the commune level;
- A high prevalence of intimate partner violence, alongside the low availability of support services; and
- A societal expectation that women are responsible for unpaid care work in the home, and obliged to balance this with paid work - in the face of a limited

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<sup>43</sup> Equilo, 2022a and 2022b

<sup>44</sup> Equilo, 2022a and 2022b

<sup>45</sup> UN Women, 2021

<sup>46</sup> Equilo, 2022a and 2022b



child and elderly care infrastructure.<sup>47</sup> Patterns of paid work and care also entail lower access to social insurance and lower benefits for women.<sup>48</sup>

## 2.3 Child labour in Viet Nam

### 2.3.1 Defining child labour

Child labour is any work that deprives children of their childhood, their potential, and their dignity. It is work that exceeds a maximum number of hours, depending on the age of the child and type of work, and that interferes with children's education and/or negatively affects their emotional, developmental, and physical well-being. Many child labourers are engaged in the worst forms of child labour (WFCL), including forced labour, recruitment into armed groups, trafficking for exploitation, sexual exploitation, illicit work, or hazardous work.

Globally, child labour is driven by household vulnerabilities associated with gender inequality, poverty, risks, and shocks (such as the global COVID-19 pandemic); as well as by stressors that arise that result in families engaging in negative coping mechanisms. Households often respond to additional stressors by either borrowing funds or spending from their savings.<sup>49</sup> Children most vulnerable to child labour are often those who are subject to discrimination and exclusion, such as girls, ethnic or religious minorities, or children living with disabilities.

Child labour is generally defined by two (2) factors: 1) the type of work, and 2) the minimum age. Any child involved in an activity that is harmful to their physical or mental development can be considered a child labourer. The appropriate minimum age for each type of work depends on the effects of the work on a child's physical and mental development.

*Table 1: Minimum Age Categories*

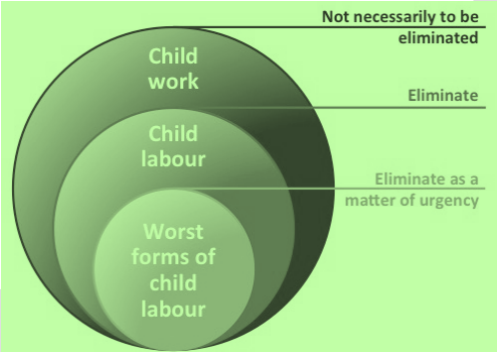
Definitions	Minimum age at which child can start work	Possible exceptions for developing countries
<b>Basic minimum age: The minimum age for work should not be less than the age for completion of compulsory education and in any case should not be less than 15 years old. In the case of developing countries this is decreased to 14 years old. (ILO Convention 138, Article 2)</b>	15 years old	14 years old
<b>Light work: Children between 13 to 15 years old may do light work if it does not harm their health, development or education. (ILO Convention 138, Article 7)</b>	13-15 years old	12-14 years old
<b>Hazardous work: Any work that by its nature or the circumstance in which it is carried out is likely to harm or jeopardize the health, safety, or morals of children. (ILO Convention 182, Article 3(d))</b>	18 years old	18 years old

<sup>47</sup> UN Women, 2021; ILO, 2021a

<sup>48</sup> ILO, 2021b

<sup>49</sup> ILO, 2006

The **minimum working age in Viet Nam** is noted in several pieces of legislation and is based on the number of hours worked per week and the type of work. Vietnam's 2004 Law on Child Protection, Care and Education stipulates that a child prescribed in the law is a Vietnamese citizen under the age of 16 years. In accordance to the Viet Nam Labour Code (2019), minor employees as defined under Chapter 11, Article 143 include: any employee under the age of 18 years. It categories minor employees in three categories: under age 13, 13 to 15, and 15-17. In addition, it stipulates that a "person aged 15 to under 18 must not be assigned any of the works or to any of the workplaces mentioned in Article 147 of this Labour Code...a person aged 13 to under 15 may only do the light works on the list promulgated by the Minister of Labour, War Invalids and Social Affairs...[and] a person under 13 may only do the works specified in Clause 3 Article 145 of this Labour Code."<sup>50</sup> Light work may include household chores or any work that does not prevent a child from attending school or participating in approved vocational training, and that does not jeopardize a child's safety, health, or development. See Figure 1<sup>51</sup>

<i>Figure 1: The different forms of child Labour (Alliance, 2019)</i>	<i>Is all work harmful?</i>
	<p>Not all work is considered child labour:</p> <ul style="list-style-type: none"> <li>➤ Children under 18 years of age but above the minimum age for the type of work they do may legally be employed.</li> <li>➤ Many children and adolescents may benefit from being economically active. Some types of work, such as light work that can be combined with school, may be beneficial to their development, helping to prepare them for a productive life as an adult.</li> </ul>

### 2.3.2 Normative frameworks and programmes

The concept of child labour is guided by three key international conventions that form the basis for the legislation enacted by signatory countries. Countries that have ratified the ILO Convention 138 are required to set a minimum age for entry into work. Annex 1 provides a summary the key conventions and the two optional protocols of the Convention on the Rights of the Child, and includes dates when the Government of Viet Nam ratified them.

Viet Nam has laid the foundation for effective and sustainable action against child labour and has committed to undertaking measures to tackle child labour through

<sup>50</sup> Labour Code, 2019

<sup>51</sup> Alliance, 2019

laws, policies and institutional support for their implementation. In recent years, Viet Nam has made significant achievements in the fight against child labour, establishing a strong legal framework that is to a great extent aligned with international labour standards, and implementing a number of programmes and projects to counter child labour nationally and locally. In November 2000, the Government ratified the Worst Forms of Child Labour Convention, 1999 (No. 182), and in 2003 ratified the Minimum Age Convention, 1973 (No. 138). These ratifications signalled Viet Nam's commitment and determination to urgently undertake time-bound measures for the elimination of the worst forms of child labour in the country. In particular, meaningful achievements have been made in priority sectors, such as the garment, handicrafts, agriculture and fishery sectors to eradicate child labour.

Tables provided in **Annex 1: Normative Framework Overview Tables (Vietnam)** gives an overview of key national legislation, policies, programmes aimed to change business practices and eradicate child labour that are in place and their key articles related to child protection and child rights.

While significant progress has been made and action taken, challenges in the implementation of labour regulations remain, specifically in the informal sector due to the lack of awareness, capacity, and coordination mechanism among relevant stakeholders (such as local authorities, organisations of workers and employers, the media, as well as children, their families, and the community).<sup>52</sup> In addition, other issues such as safety working conditions, and access to vocational training or education for children have not been carried out effectively in some locations.<sup>53</sup> Laws and policies will need to continue to address the root causes of child labour, such as poverty, particularly in the current context of the COVID-19 pandemic and provide social supports to vulnerable families.

### 2.3.3 Child labour risk factors

Child labour within the informal sector persists and is often difficult to reach and address through law enforcement and interventions.<sup>54</sup> According to the National Survey on Child Labour (2018), of the children that were economically active, 1,031,944 were identified as children in child labour, accounting for 5.4 per cent of the 5-17 years olds and 58.8 per cent of those participating in economic activities.<sup>55</sup> Among children involved in child labour, 59 per cent were boys and nearly 41 per cent were girls; and around 51.2 per cent belonged to the 15-17 year age group.<sup>56</sup>

The majority of households with children engaged in child labour are involved in the informal sector, specifically in agriculture, forestry and fishery activities (50.2 per cent) and non-agriculture activities such as business, trade, and services (33.7 per

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<sup>52</sup> Hoang, K. and Nguyen, D., 2022

<sup>53</sup> Ibid.

<sup>54</sup> ILO and MOLISA, 2018

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

cent) with other sources of income mainly coming from asset leasing, individual supports or governmental supports.<sup>57</sup> Most children in child labour work in the informal economic sector as paid employees or as own-account workers, or they were household workers in their family business and production activities. They often worked in unsafe environments and with poor quality working conditions. More than 84 per cent of children engaged in child labour live in rural areas, and over 43 per cent of them were involved in household work.<sup>58</sup> This poses challenges to regulating child labour since most children work in small scale production and business establishments, participating in the various stages and activities of supply chains that exist in small factories or households, which are not necessarily detected by the large corporations and companies, and state management agencies.<sup>59</sup>

In urban areas, the rate of children aged 5-17 years working in urban areas is lower than in rural locations; however, importantly, once urban children participate in economic activities, most of them will become involved in child labour and, even worse, in hazardous work. This trend highlights the severity of the risk of child labour in urban locations despite the overall number of working children to be lower than in rural areas.<sup>60</sup>

According to the National Survey on Child Labour (2018), **the main risk factors causing child labour<sup>61</sup>** are:

- Poverty and economic conditions of households
- Pressure to generate income (for oneself and for the household)
- Support to paying off household debt<sup>62</sup>
- Widely accepted social norm that it is the responsibility of each family member to contribute to the production and business process of the household
- Desire for involvement in household's production and business
- Desire for apprenticeship
- Non-school attendance
- Lack of awareness of and attitudes towards child labour among parents
- Belief among parents that engagement in work can support children's development and transition into adulthood
- Lack of awareness by some parents of the importance of education, and a belief that "No food leads to starvation while no education is still alright" leads to lack of school attendance<sup>63</sup>

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<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> ILO, 2006b

<sup>63</sup> ILO, 2006b

- Related to domestic work, belief among parents that children will have more access to education and nutrition at employer's household<sup>64</sup>
- Rapid economic development has led to an increase in households being able to afford domestic workers<sup>65</sup>
- Child marriage<sup>66</sup>

The risk factors were consistent amongst male and female respondents, except for the desire for apprenticeship and non-school attendance was much higher for boys than girls (4.2 per cent for boys and 1.7 per cent for girls, and 8.2 per cent for boys versus 4.4 per cent for girls respectively). Child marriage is also more predominant amongst girls than boys and in specific ethnic groups, such as Mong.<sup>67</sup>

In Viet Nam like globally, child labour is depriving children of education and vocational opportunities and places them in a cycle of poverty. While nearly half of the children in child labour were attending school, 48.6 per cent were not; and 1.4 per cent had never been to school.<sup>68</sup> In general, male children involved in child labour were less likely to attend school than their female counterparts. As they age, these children were more likely to drop out of school. The survey results indicate that the percentage of child labourers who were not attending school in the 5-12 years age group was 20 per cent, but in the older age groups, the corresponding rate increased sharply to nearly 34.7 per cent (13-14 year age group) and 72.8 per cent (15-17 year age group).<sup>69</sup> These numbers show the negative impact of labour involvement on children's participation in education. When children were engaged in economic activities for long working hours under unsafe working conditions as well as in hazardous work, they were more likely to drop out of school. This affects children's possibilities to access education, the chance to get decent work in youth and adulthood, and their life potential overall.

The national survey on child Labour outlines that children in child labour work in quite diverse locations. There were eight (8) main locations where these children often work, namely their home (24.7 per cent); farms, fields and gardens (12.1 per cent); construction sites (12.2 per cent); shop/kiosk/restaurants (over 4.8 per cent); mobile work places (over 8 per cent); and fixed work places on streets and markets (2 per cent). Particularly, nearly 1.7 per cent of them worked under water (ponds, streams, lakes and rivers).

Of the 1,031,944 children involved in child labour, 53.4 per cent started to work at the age of 12 or more. However, 10.3 per cent of them started to work at the age of less than 10 years, and 3.5 per cent started to work at the age of 5-7 years, which is very young to start working and negatively affects children's healthy development and

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<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> MICS Adolescents, 2021

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

<sup>69</sup> Ibid.

participation in education. Children in rural areas, girls, and older children were more likely to be involved in domestic chores than children in urban areas, boys and younger children. Children who did not go to school spent more significant time doing these chores than children attending school.

Lastly, while Viet Nam's economic development has benefited many, it has also enabled more households to afford domestic workers to assist in household chores and childrearing, the majority of which are female and come from rural areas to Ho Chi Minh City.<sup>70</sup> Many children doing domestic work do not register for temporary residence at the local authorized body, and this "undocumented" status might put the children in vulnerable situations if they are exploited or abused by employers. This is an important consideration in relation to the gender dimensions of child labour.

### **2.3.4 Child labour and education**

Child labour is frequently associated with children being out of school. Understanding the interplay between work and education constitutes one of the core concerns of this gender analysis. It affects the ability of boys and girls to participate in the education system and reduces their school performance. Children engaged in child labour attend less school, have higher repetition and dropout rates, spend fewer years in school (late entrance and early leaving) and may find themselves without the basic tools to escape marginalisation and poverty. Many of the children in child labour that remain in school struggle to balance the demands of school and child labour at the same time, which compromises their education and their right to leisure.

The Government of Viet Nam has a strong commitment to education. Since 2014, the Government has issued many policies to promote the universalisation of education and literacy. National legislation guarantees five (5) years of free and nine (9) years of compulsory primary and secondary education.<sup>71</sup> The Government has also implemented a number of policies to promote equal access to education for ethnic minority children, children living in disadvantaged areas, children with disabilities, and has created favourable conditions for children with extremely disadvantaged circumstances to go to school.

According to the ILO, the education attainment of the Vietnamese population aged 15 and over, however, remains low.<sup>72</sup> In 2020, the share of the population aged 15 years and older with a qualification was about 20 per cent, of which those with a university degree accounted for 9.1 per cent, a college diploma 3.3 per cent, intermediate level 4.4 per cent and elementary level 3 per cent.<sup>73</sup> Across the country, while parity has been reached up to lower secondary education, girls account for a

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<sup>70</sup> ILO, 2006b

<sup>71</sup> Equilo, 2022a and 2022b

<sup>72</sup> ILO, 2022

<sup>73</sup> Ibid.

greater percentage of enrolments at upper secondary level than boys, at 76.7 per cent versus 67.7 per cent, respectively.<sup>74</sup> Rates are considerably lower overall for ethnic minority girls and boys, at 50.9 per cent and 43.4 per cent, correspondingly.<sup>75</sup> At the graduate level in tertiary education, however, the participation of female students in the education system decreases, for instance, where female students only account for 28 per cent of doctoral degrees.<sup>76</sup>

According to the National Survey on Child Labour, as of 2018, 94.4 per cent of children aged 5-17 years were attending preschools, general education and vocational schools. The rate of 5-year-old children attending preschools reached 97.5 per cent, while the percentage of children aged 6-17 attending general schools was nearly 92 per cent. The percentage of children aged 5-17 attending school in urban areas was about 3 per cent higher than the corresponding rate of rural children in that group. At the time of the survey, it was estimated that 1,076,050 children of the 5-17 age group did not go to school, accounting for 5.6 per cent of the total child population. Except for 5-year-old children of kindergarten age, the proportion of children not attending school increases with their age group; the higher the age, the higher the percentage of out of school children. The percentage of out of school children in the 6-11 age group was below 1.4 per cent; increasing to nearly 5 per cent in the 12-14 age group; and to over 18.3 per cent in the 15-17 age group.

The risk factors leading to a lack of school attendance in the child population aged 5-17 years, many of which are similar to those that drive child labour, are:

- Not enjoying school/poor learning ability (44.8 per cent)
- Engagement in economic activities and income generation for themselves or their families, or due to involvement in family production and business (15 per cent)
- Inability to afford education costs, such as uniforms, tuition fees, supplies (14.4 per cent)
- Having a disability or illness (11.4 per cent)
- Helping families with domestic chores (4.6 per cent)
- No available school/school too far from home (3.3. per cent)
- Families do not allow children to go to school (2.8 per cent)

Importantly, the education system can be a useful means of helping to monitor child labour. Teachers, for example, can identify children who are at risk of dropping out of school and set up a child labour warning system. When teachers see signs that children are regularly missing school, they contact the guardians or parents, explaining to them the long-term importance of education and of the children staying in school. Children can also learn about child labour at school. Education

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<sup>74</sup> UN Women, 2021

<sup>75</sup> Ibid.

<sup>76</sup> Ibid.

can provide an opportunity to help girls and boys find out about their rights and to protect them from child labour. Information on the subject is being integrated into curricula in many parts of the world, as well as being communicated through non-formal education projects. There has been increasing need to link efforts to reduce and prevent child labour with efforts to promote education. This is particularly important in the context of the global COVID-19 pandemic.

### **2.3.5 COVID-19 and child labour**

In Viet Nam, COVID-19 has necessitated unprecedented public health measures, including the closing of national borders to travel and trade, interrupting supply chains, tourism and commerce; prolonged school closures, requiring online learning and home tuition; periodic shut downs and social distancing requirements in retail, hospitality and services, thus weakening business; stay-at-home orders with family confinement; and an increase in domestic tasks and care responsibilities which have placed much heavier burdens on women than men. Job and income losses, and elevated anxieties relating to livelihood and fear of the virus, have also increased the stress on households.<sup>77</sup> These factors have played out disproportionately. For the first time in a decade, Viet Nam experienced a drop in the labour force participation rate of both men and women, and some of the hardest hit economic sectors such as tourism, hospitality, retail and light manufacturing, are female-intensive.<sup>78</sup> There has also been a drop in the labour force participation rate and the number of people employed, while the prevalence of informal sector employment has increased.<sup>79</sup> SMEs and household businesses have been among the most affected by the pandemic.<sup>80</sup> There was an 'exponential increase' in women's unpaid care and domestic work with respect to household hygiene vigilance, home-based schooling supervision, increased time in meal preparation as well as the care of sick relatives.<sup>81</sup> Traditionally regarded as the 'secondary earner', this jeopardises women's return to employment, at the same pace as men, and reverse the gains in gender equality that have been achieved. Migrant workers have been particularly affected by COVID-19 as they face higher risk of lay-offs and non-payment of wages.<sup>82</sup>

All of these outcomes of the COVID-19 pandemic, such as school closures, increases in migration, and increased household economic vulnerability, have important implications for child labour. The discussion on existing risk and protective will further explore the impact of COVID-19 on child labour in the WNCB programme locations.

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<sup>77</sup> UN Women, 2021

<sup>78</sup> Ibid.

<sup>79</sup> ILO, 2022; ILO, 2021b

<sup>80</sup> Ibid

<sup>81</sup> UN Women, 2021

<sup>82</sup> IOM, 2020



## 2.4 Gender dimensions of child labour in Viet Nam

Girls and boys are affected differently by child labour. They may be more or less vulnerable to certain types of labour based on their gender, and they may experience different protection concerns as a result. For instance, social or cultural norms and perceptions related to gender roles may lead families to prioritise education for certain children over others, and may influence the type of work boys or girls undertake. Mirroring the gender roles and labour patterns of adults, boys are more likely than girls to be involved in hazardous tasks in agriculture, such as handling chemicals, using sharp tools or capturing fish at night on vessels. However, the magnitude of girls' work increases when reproductive and care work in the household, such as looking after younger children, cooking and cleaning, or doing laundry and other household tasks, is included in the definition of child labour. Girls' reproductive work often comes in addition to economic work and is seldom given any specific economic value or recognised as work.<sup>83</sup> Compared to boys, girls are also more likely to be engaged in multiple tasks, and this "multitasking" may drastically reduce their opportunities for schooling and socialising.<sup>84</sup>

The National survey tells us that among the working children, those in child labour, and those in hazardous work, a higher rate was observed for boys. The share of boys in the total number of working children was 54.5 per cent and constituted 59.0 per cent of children in child labour, and 67.2 per cent of children in hazardous work. This was higher within older age groups. In particular, the rates of working children, children in child labour, and children in hazardous work amounted to 56.4 per cent, 51.2 per cent, and 71 per cent, respectively.

Almost half of the million children in child labour worked in the agriculture sector; around 245,000, accounting for nearly 23.7 per cent, worked in the industry - construction sector; and nearly 21 per cent worked in the services sector. Boys were more likely to work in the agriculture sector than girls; in contrast, girls were more likely to work in the service sector. However, children in child labour tended to gradually withdraw from the agriculture sector to work in other sectors.

Child labour is highly prevalent in situations of poverty and economic vulnerability, environments with informal labour, parental illiteracy, and lack of affordable schooling opportunities for children. All these conditions are gendered. Girls and boys whose families are poor are much more likely to be engaged in child labour than those from families with greater economic means.<sup>85</sup> Poverty is also a major determinant of gender disparities in child labour,<sup>86</sup> and can influence access to education for girls and boys. Many girls in poorer households take on unpaid household work for their families, usually more so than boys. The double work

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<sup>83</sup> FAO, IFAD and ILO, 2010

<sup>84</sup> De Lange, 2009

<sup>85</sup> FAO, 2021

<sup>86</sup> FAO, IFAD and ILO, 2010

burden of household chores and economic activities outside the home can further reduce opportunities for school attendance and can present a physical danger to girls, especially when they engage in work that is clearly hazardous rather than light work appropriate to their age, or when they get exposed to gender-based violence.<sup>87</sup>

In Viet Nam, a multi-country study on social norms and education conducted in 2014 found that gender social norms play a significant role in influencing educational opportunities.<sup>88</sup> It was found that girls drop out of school due to early marriage or pregnancy, lack of accessible secondary schools, or because of parental reluctance to invest in higher education for girls.<sup>89</sup> Harmful gender norms include discriminatory gender stereotypes and cultural beliefs that favour men over women or link to sexual identity, ethnicity, son preference, sex-selective abortion, and stereotypical division of labour.<sup>90</sup> Girls, for example, often perform domestic work, provide childcare for siblings, or work in the service industries.<sup>91</sup> These gender biases and stereotypes are further promoted in education curriculum; for instance, there are specific fields of study and vocational training promoted for girls and boys, and through the media, behaviour and practice in Viet Nam.

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<sup>87</sup> ILO, 2009

<sup>88</sup> ODI, 2014

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> ILO and MOLISA, 2020

## 3. Methodology

### 3.1 Conceptual approach

The methodology borrows from Save the Children's Gender and Power (GAP) analysis guidance, with six (6) key domains. The domains are designed to examine key gaps, risks, and barriers that limit gender equality in different arenas, and wherever possible, in accordance with a socio-ecological framework. Asking relevant questions in relation to the domains enabled an understanding of the inequalities that exist in context. The gender analysis framework designed lines of inquiry against each of the domains. The literature review and primary data collection sought to seek answers to these questions in the realms of:

- 1) Laws, policies, regulations and institutional practices
- 2) Social norms, beliefs and practices
- 3) Patterns of decision-making
- 4) Roles, responsibilities and time use
- 5) Access to and control over resources
- 6) Safety, dignity and well-being.<sup>92</sup>

The analysis employed the socio-ecological model identify and understand the risk and protective factors of driving child labour from the gender lens in Viet Nam. As a result, the risk and protective factors have been analysed in a multi-layer framework as presented by Figure 2. Specifically, childhood is conceptualised as embedded within the broader political, economic and socio-cultural context.<sup>93</sup> The socio-ecological systems perspective used in this analysis conceptualises how factors at the individual, family, community and society levels converge to influence gender dynamics that lead to child labour. Since a gender analysis generally detects differences at all levels of the socio-ecological framework, this study determines the linkages between inequalities and gaps at the various levels of the socio-ecological framework and how they intersect and interact with one another. Ultimately, the multilayer research design ensured a holistic perspective, helping identify a list of risks and challenges together with resilience strategies and means of protection, both internal and external.

Building on **the socio-ecological model**, this analysis considered the perspectives of family, key community actors, and decision-makers. This approach has provided insights into legal and policy frameworks, social and cultural gender norms, interpersonal relationships, and individual traits and factors, such as gender, education and socio-economic status, that shape and inform the perspectives and actions of children engaged in child labour.

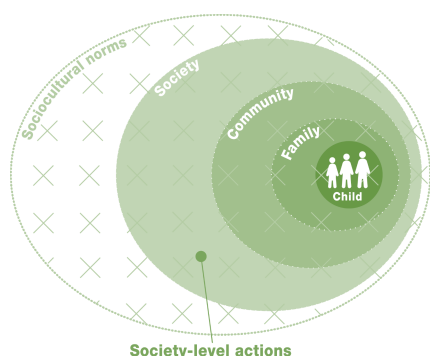
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<sup>92</sup> Save the Children, 2020

<sup>93</sup> Bronfenbrenner, 1979

The research design was also informed by child-centred, gender sensitive approaches and principals of participatory action research<sup>94</sup>. In addition to the deliberate focus on gender in the research framework, all data was collected and analysed with a gender lens.

*Figure 2: Socio-Ecological Framework*<sup>95</sup>



The research was conducted by a consulting team comprised of an international consultant and national consultant based in Viet Nam. Partnerships were strongly emphasised in conducting the analysis, with close collaboration between the research team, Save the Children, MOLISA and UNICEF Viet Nam, with view to laying the ground for research uptake. The Gender Analysis was managed remotely by the international consultants and in collaboration with a national consultant based in Viet Nam. The methodology was co-created and with the support of the WNCB team in Viet Nam, and was informed by input from MOLISA to ensure alignment with national procedures.

### **3.2 Research Tools and Methods**

Both quantitative and qualitative tools were used. Triangulation was applied by using several different data collection methods with the same population<sup>96</sup>

#### **3.2.1 Literature Review and Secondary Data Analysis**

A review of existing literature related to gender gaps, inequalities, and child labour in Viet Nam, was conducted. Key texts as identified by the programme stakeholders reviewed included: *Country Gender Equality Profile Viet Nam (2021)*, *Viet Nam National Child Labour Survey (2018)*, and the *Gender Toolkit: Integrating Gender in Programming for Every Child in South Asia*. The literature was not exhaustive, but included a review of all resources shared in a bibliography made available to the research team during the inception phase.

<sup>94</sup> [key references to be added]

<sup>95</sup> The model has been updated from Bronfenbrenner's ecological systems approach and is in line with the Minimum Standards for Child Protection (the Alliance for Child Protection in Humanitarian Action, 2019).

<sup>96</sup> Refer to the summary of the sample groupings, methods in this section of the report, and a full list of tools used is provided in the annexes.

The review also included an analysis of secondary data to identify existing data on child labour, specifically available statistics on age, gender, disability, legal status (such as migrant or displaced), and conditions and types of the child labour experienced by girls and boys in Viet Nam. The literature review and secondary data analysis identified existing gender inequalities and gaps in Viet Nam, specifically in relation to access to education, decent employment, and the enabling environment, including social norms, national policies, legislation and regulatory frameworks on child labour.

### 3.2.2. Primary data collection

Data concerning child labour, particularly certain types of labour, such as its worst forms or domestic labour, as well as information about gender inequalities are often difficult to identify, and generally cannot be generated solely from quantitative data. For instance, existing data may reveal a strong relationship between girls' limited access to education and their increased risk of engagement in harmful forms of labour, but it does not explain why this relationship exists. As such, qualitative data collection was used to engage with girls and boys at risk of child labour directly.

Key informant interviews (KIIs) with relevant stakeholders and focus group discussions (FGDs) were facilitated to identify gender gaps and inequalities (for instance, related to access to education, decent employment, wage, social norms, and legal frameworks) and their linkages to child labour. This included identifying and understanding the key factors related to gender that are *driving* child labour in Viet Nam, in accordance to the levels of the socio-ecological model (specifically individual, family, community, society).<sup>97</sup> Data was collected through multiple techniques and a wide range of resources. Various methods and sources were combined to ensure the triangulation of the analysis and to minimise bias.

The two **research sites** selected were Dong Thap and Ho Chi Minh City. The choice of the sites was made by the WNCB team in Viet Nam and is less informed by geography than by the characteristics of the populations and WNCB programme location. The research aimed to capture the dynamics, differences and similarities of sub populations in each site.

#### **Key Informant Interviews**

Qualitative semi-structured interviews were conducted with identified key informants from UNICEF, MOLISA, Save the Children, UN Women, other relevant government Ministries, and national and international non-governmental organisations (NGOs) working on issues related to gender equality and/or child labour, including in the child protection, social protection, education, and food security and livelihoods sectors. Since the interviews were semi-structured using open-ended questions, there was flexibility for respondents to converse openly about issues pertaining to gaps and opportunities related to gender inequalities

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<sup>97</sup> The socio-ecological framework is in accordance to Bronfenbrenner's ecological framework for human development and micro-, meso-, and macrosystems.

and its linkages to child labour. Interviews were either facilitated face-to-face by the national consultant or via the telephone in Vietnamese depending on the location of the key informants.

The sampling strategy is purposive. It has been designed to elicit the perspectives of a range of participants including children, families, decision-makers, and other relevant stakeholders. The strength of this study design is in the details: by seeking out perspectives from different stakeholders and groups of participants, we are better able to understand the varying risk and protective factors driving the gender inequalities of child labour, as well as their intersectionality, and how differing perspectives converge—or diverge—in a way that other approaches may not otherwise permit. In this way, the methodology yields a level of depth about gender equalities and child labour in Viet Nam, albeit in a limited geographic location, with the intention that findings will act as a catalyst for meaningful discussions in the arenas of policy and advocacy.

The sample size is sufficient to achieve theoretical insights into the core themes explored in this study. As outlined above, the primary research includes country level and site-specific activities:

- At the national level in Viet Nam (in Hanoi), 8 key informant interviews (KIIs) were carried out with individuals representing the MOLISA (Department of Children's Affairs, Department of Social Protection, Gender Equality Department, Office for Poverty Reduction and Elimination, the National Child Protection Hotline), Ministry of Education and Training, civil society organisations, UN agencies (such as UNICEF, UN Women), and NGOs (Child Fund) (see Table 4 below).
- Dong Thap and HCMC: In total, 5 KIIs were interviewed in Dong Thap (Department of Child Protection and Gender Equality and the Social Work Service Centre, DOLISA, owner of a garment factor and owner of a recycle factory), and a further 6 KIIs in HCMC (Director and staff member of Thao Dan Center, head of Gender and Child Protection at DOLISA, department of Education and Training).
- In total, there were 17 focus group discussions in the research sites in Dong Thap and HCMC.

### **Focus Group Discussions**

Since prevention is characterised by intervening before the occurrence of child labour, it is essential that preventive efforts be grounded in an understanding of the gender gaps and inequalities present at each level of the social-ecological model that are linked to and drive child labour, as well as those that continue to reinforce gender inequalities for working children of legal working age.

The objective of the focus group discussions was twofold:

- to identify and understand factors related to gender inequalities and gaps that drive child labour in context and influence the conditions and types of

work children are engaged in (for instance, social norms or barriers to education); and

- to explore factors that further compound gender inequalities for working children of legal working age (such as wage inequality).

A *participative listing and ranking methodology* was used to facilitate the focus group discussions to identify and understand the existing gender inequalities and drivers of child labour. One of the strengths of this methodology is that participants identify the key drivers, while also playing a leading role in prioritising the drivers most important to them, which can support practical action by Save the Children, UNICEF and MOLISA.<sup>98</sup> Focus groups included:

- Children above 12 years old to 17 years old at risk of child labour
- Caregivers whose children are involved in child labour or at risk of child labour in the informal sector
- Other relevant stakeholders (such as child protection, gender, livelihoods practitioners)

Separate focus group discussions were facilitated for girls and boys, women and men in the children and caregiver groups. For the primary data-collection, we made sure to organize two separate focus group discussion for each group to allow both men and women, boys and girls to express their opinions freely in a safe space. The questionnaires were designed in a way that allowed for collection of information on the situation of girls and boys independently. Irrespective of the interviewee, therefore, questions related to children were asked separately for each gender.

*National-Level Key Informants:* Child protection, education, livelihoods, gender actors / decision-makers: To increase the uptake of the final recommendations, actors from different sectors and government decisions-makers were engaged as key informants. Key informants were identified through MOLISA and UNICEF Viet Nam. Interviews were held with decision-makers to explore decision-making processes and to provide an opportunity for input from policymakers specifically in relation to the gender domains.

*Focus Group Discussions in HCMC and Dong Thap:*

- **Children:** Participants were selected using purposive sampling with the goal of achieving gender parity and inclusion. This group consisted of children at risk of child labour (aged approximately 8-17 years).
- **Parents and Caregivers:** This sample group was comprised of parents/caregivers of children who were at risk of working in child labour. This allowed the research team to gain more insights into specific households and experiences and triangulate the data.

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<sup>98</sup> The participative listing and ranking methodology is an approach to data collection in which groups of knowledgeable participants are guided in generating responses to specific questions in a participatory manner. The methodology draws on both quantitative and qualitative methods to generate rich, contextualised data that can be counted, ranked, and compared across or within groups. It promotes a participatory process that rapidly highlights existing drivers while also providing an opportunity for deeper analysis.

- **Child Protection, Gender, Livelihoods or Education Workers:** This sample group sought to understand the various drivers of gender inequalities and child labour from the perspectives of professionals working on related issues in Viet Nam.

### **Sampling Strategy and Participant Selection**

The sampling strategy is purposive. It has been designed to elicit the perspectives of a range of participants including children, families, decision-makers, and other relevant stakeholders. The strength of this study design is in the details: by seeking out perspectives from different stakeholders and groups of participants, we are to better able to understand the varying risk and protective factors driving the gender inequalities of child labour, as well as their intersectionality, and how differing perspectives converge—or diverge—in a way that other approaches may not otherwise permit. In this way, the methodology yields a level of depth about gender equalities and child labour in Viet Nam, albeit in a limited geographic location, with the intention that findings will act as a catalyst for meaningful discussions in the arenas of policy and advocacy.

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- **Dong Thap and HCMC:** In total, 5 KIIs were interviewed in Dong Thap (Department of Child Protection and Gender Equality and the Social Work Service Centre, DOLISA, owner of a garment factory and owner of a recycle factory), and a further 6 KIIs in HCMC (Director and staff member of Thao Dan center, head of Gender and Child Protection at DOLISA, department of Education and Training).
- In total, there were 17 focus group discussions in the research sites in Dong Thap and HCMC

*Table 2: Summary of National and District-level Participant Groups and Key Informants*

Table 2a	Focus Group	Number	Description
<b>Dong Thap – Thap Muoi District (rural area)</b>			
	<b>Male parents/caregivers</b>	8	Farmers/workers
	<b>Female parents/caregivers</b>	8	Farmers/Small business owners
	<b>Boys (age 8-12)</b>	8	Children at risk of child labour
	<b>Girls (age 8-12)</b>	8	Children at risk of child labour
	<b>Boys (age 13-17)</b>	8	Children at risk of child labour
	<b>Girls (age 13-17)</b>	8	Children at risk of child labour



<b>Public officers</b>	8	Teachers, child protection, gender equality officers
<b>Ho Chi Minh City</b>		
<b>Cu Chi District (suburban)</b>		
<b>Boys (age 13-23)</b>	8	Working children
<b>Girls (13-17)</b>	8	Children at risk of child labour
<b>Female parents/caregivers</b>	8	Not having permanent jobs/incomes; doing housework, tailors, running small business
<b>Female parents/caregivers</b>	6	Not having permanent jobs/incomes; doing housework, tailors, running small business, farming
<b>Go Vap District (urban)</b>		
<b>Female parents/caregivers</b>	7	Not having permanent jobs/incomes; doing housework, tailors, running small business, farming
<b>Girls (age 13-17)</b>	8	Children at risk of child labour
<b>Public Officers</b>	10	Education Department, Labour, Gender Equality, Child Protection Department,
<b>Thao Dan Child Support Center (District 3)</b>		
<b>Boys (age 13-23)</b>	6	Working children
<b>Girls (age 13-19)</b>	6	Working children
<b>Female parents/caregivers</b>	6	Not having permanent jobs (running a small business, lottery ticket vendor, housekeeping staff, house keeper)
<b>Male parents/caregivers</b>	2	Do not have permanent job (grabber, selling goods)
<b>Total # of participants</b>	<b>131</b>	

**Table 2 b Key Informant interviews**

#	Gender	Occupation	Location
<b>Dong Thap</b>			
1	Male	Owner of a garment factory	Thap Muoi
2	Female	Officer, Social Protection Center	DOLISA, Dong Thap
3	Female	Deputy Head of Children and Gender Equality Department	DOLISA - Dong Thap
4	Male	Owner of Recycle Private Enterprise	Thap Muoi
5	Female	Deputy Head of Women Union Organization	Dong Thap
<b>Ho Chi Minh City</b>			
6	Male	Department of education and training, Govap District People's committee	Go Vap
7	Female	Staff of Thao Dan center	District No.3
8	Female	Director of Thao Dan center	District No.3
9	Female	Head of Gender and Child Protection Office - DOLISA	Ho Chi Minh City
10	Male	CSWC center	Ho Chi Minh City
11	Male	Vietnam Association for Protection of Child's Rights	Ho Chi Minh City
<b>Central Government Organisations and CSOs</b>			
12	Female	Head of Family – Social Department, VWU	Hanoi
13	Male	Vice Director of Research Center, Institute of labour and Social Affairs, MOLISA	Hanoi
14	Female	Deputy Director of Gender Equality Department - MOLISA	Hanoi
15	Female	Public Officer, Legal Department of MOLISA	Hanoi
16	Female	Program Officer of Safe Cities – Plan International	Hanoi
17	Female	VCCI	Hanoi
18	Female	Head of Child Protection Office- Department of Children – MOLISA	Hanoi
19	Female	Program Officer – Child Fund	Hanoi
<b>Total # KIIs</b>		<b>19</b>	

### 3.2.3 Transcription, analysis, and draft report writing

Synthesising information gathered consisted of two steps: 1) transcription and analysis, and 2) synthesis of findings and draft report writing, including draft recommendations. Transcripts were analysed on an on-going basis throughout the course of the study for multiple purposes: (a) to review the quality of the data collected; (b) to identify concerns, gaps and problems with the key informant and focus group discussion questionnaires so that changes could be made and concerns addressed in real time during the fieldwork process; (c) to allow for a preliminary analysis of findings. Qualitative data was analysed manually using Microsoft Excel and thematically, in line with the main research questions and sub-questions for the purpose of report writing:

- **Drivers contributing to gender gaps and inequalities linked to child labour:** including knowledge and perceptions of child labour, perceptions around employment and wage equality, national legislation and frameworks, and vulnerabilities pertaining to gender-based violence experienced by children.
- **Enabling environment:** including social norms, legislation, policies, regulatory framework, labour practices and allocation of resources.
- **Opportunities:** including access to decent work, equal education, and equality in the private sector.

In order to enhance validity, triangulation was employed. The various data sources (legal-policy analysis, literature review, key informant interviews, focus group discussions) were considered in relation to each other. Data was uploaded to a secure folder online in Dropbox by the national consultant. Once the project is complete, she will delete the files from her computer.

The draft report includes analysis based on the literature review, key findings and recommendations. Primary data collected is included as well, identifying linkages between gender inequalities and child labour, and gaps and opportunities in capacities, systems and resources.

### 3.3 Ethical Considerations

All researchers were screened and signed onto relevant codes of conducts. Participation was voluntary for all participants. Safeguarding, informed consent, anonymity, and data protection processes were clearly outlined, and training was carried out with the consultant who facilitated the primary data collection as well as a note-taker for the FGDs. Prevention of Sexual Exploitation and Abuse (PSEA) and local safeguarding referral protocols were in place in case there was a disclosure of abuse.

Interviews were conducted at the appointed date and times in order not to cause additional inconvenience to the interviewees some of who were working. For child interviewees, FGDs took place only after the consent of their legal guardians was provided. The national researcher also paid specific attention to the length of the

questionnaires and questions were asked in the most attentive manner to make sure that the respondents completely understood them.

With the public health measures in place as a result of the global COVID-19 pandemic, it was critical to navigate the ethical and methodological complexities to ensure a safe and inclusive research approach, including the importance of: “a) balancing participation and protection, b) embracing children’s rights approaches, and c) contributing to positive outcomes for children and young people during the outbreak” was particularly noted.<sup>99</sup>

The Gender Analysis tools included detailed guidance on safe, physically distanced, in-person key informant interviews, focus group discussions and workshop consultations. Where physical data collection was not disrupted as a result of COVID-19 public health measures. Considerations of research participants time and stakeholders time in the broader context of the pandemic were discussed. The timing of the research was considered necessary given the need to provide insights into how to better address gender inequalities and child labour, both of which have been further exacerbated recently, and with the view to generate recommendations that will lead to the prevention of child labour.

### **3.4 Study Limitations**

The methodology to collect data is designed to answer the research questions, while also taking into account ethics, simplicity, user-friendliness, and cost effectiveness.<sup>100</sup> The data collected is limited to two locations. Additionally, qualitative approaches (KIIs and FGDs) cannot be generalised to the entire population: limiting the study to provide a snapshot of the situation for specific groups of children (such as those at risk working in the informal sector). Since children who are engaged in child labour were working during the hours data collection was facilitated, it was not possible to include them as participants, rather children at risk of child labour were included instead.

The limited timeframe for primary data collection (a total of six (6) days) and the limited budget impacted the fieldwork strategy. For example, the sample sizes would ideally be larger, there would be more time for local engagement and participation in each step of the planning and implementation, and participants would be more actively engaged in the data analysis and validation – improving data quality and insights. The limited timeframe also meant it was not possible to pilot the focus group discussion questionnaire. To address this limitation, the consulting team facilitated a meeting directly following the first FGD to address any issues with the questionnaire and several minor amendments were made to reduce the FGD length.

## **4. Findings and Recommendations**

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<sup>99</sup> Cuevas-Parra, 2020

<sup>100</sup> The Alliance, 2021c

Section 4.1. and 4.2. describe and analyse the findings of the literature review and primary data collection in response to the first research question related to identifying the gender related risk and protective factors that cause, drive and define child labour in the informal sector for boys and girls (5-17) in the WNCB programme locations in Dong Thap province and Ho Chi Minh City. There were only a few resources, such as the National Survey on Child Labour that highlighted specific causes of child labour; however, these were not analysed as ‘gender-related’ causes of child labour. Thus, the risk and protective factors identified in the table are based on the analysis and interpretation of the literature review findings.

Section 4.3. addresses the second research question by providing recommendations on what the WNCB programme can do to better address the risk factors of child labour in the informal sector and to promote the protective factors for girls and boys in the programme’s locations in accordance with the findings described in sections 4.1. and 4.2.

Table 3 below summarises the key findings of the literature review in relation to the gender analysis domains and Outcomes 1 and 2.

Table 3: Summary of literature review findings

Summary of Key Findings in accordance to domains	Risk factors identified	Protective factors identified
<b>Outcome 1:</b> Children are empowered and have improved access to (quality) education and youth employment within a supportive family and community environment.		
<b>Social norms, beliefs and practices</b>		
<ul style="list-style-type: none"> <li>➤ In Viet Nam, gender and social norms influence the participation of women in formal and informal work, accepted roles and responsibilities, opportunities, and exposure to violence, and therefore, influence the types of work children are involved in (e.g., girls taking on domestic and care work).</li> <li>➤ Gender norms include perception of men as the “male breadwinner” and women as the “female caregiver” and limit the ability of women and girls to effectively engage in income generating activities or to make decisions about their professions.</li> <li>➤ Gender bias remains a challenging issue in Viet Nam with son preference still existing in families.</li> <li>➤ Traditional belief that “girls are the other’s daughters” (con gái là con người ta) because they will grow up and marry. They are therefore often required to learn to cook and perform household chores.</li> <li>➤ Gender stereotypes are pervasive in the media, and women are under-represented as subject matter experts.</li> <li>➤ Gender norms have a significant influence on fields of study and there is a widespread assumption that men are better at jobs requiring technical skills,</li> </ul>	<ul style="list-style-type: none"> <li>• Gender stereotypes, influencing fields of study, vocational skills training, and streaming into a narrow range of occupations leading to segregation of labour</li> <li>• Informal, low skilled nature of women’s work, which is unprotected and low paid</li> <li>• Bias against women in leadership roles in the workplace</li> <li>• Traditional beliefs on appropriate behaviours of girls, boys, women and men and roles in the household</li> <li>• Child marriage</li> <li>• Female-headed household (more likely to be in poverty)</li> </ul>	<ul style="list-style-type: none"> <li>• National legislation on gender equality, such as the Gender Equality Law</li> <li>• Access to effective formal and non-formal education for girls and boys</li> </ul>

<p>which leads to fewer female adolescents and women completing higher educations in the sciences, technology, engineering, and mathematics (STEM).</p> <ul style="list-style-type: none"> <li>➤ Gap in vocational training enrolment with the ratio of female students to male students remaining low.</li> <li>➤ Girls more likely to be involved in domestic work, which is normally hidden from public view and beyond the scope of labour inspectorates, leaving them vulnerable to abuse.</li> </ul>		
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**Roles, responsibilities and time use**

<ul style="list-style-type: none"> <li>➤ Labour market participation of women is remarkably high in Viet Nam. However, women face unequal opportunity to engage in the economic activity compared to men and report that the main reason for choosing flexible, yet low-paid, low-skilled and unstable jobs is to fulfill their domestic responsibilities, leading to occupational segregation and gender stereotyping in relation to types of roles assigned to women and men.</li> <li>➤ At the root of labour market inequalities are the traditional roles that girls and women are expected to play, perpetuated by social and gender norms, in which girls and boys and women and men are assigned different roles, and women’s role as caregiver/homemaker prevents their economic empowerment, and perpetuates gender inequalities.</li> <li>➤ Assigned gender roles limit women’s workforce participation with women are more likely to seek work in informal sector to accommodate their unpaid care responsibilities, leaving them with limited social benefits and unprotected by labour laws, perpetuating cycles of poverty.</li> <li>➤ Women’s greater time poverty caused by the combination of their paid and unpaid work reduces their ability to access financial institutions.</li> <li>➤ Law on Children (2016) ascribes children’s duty to help parents with households that are ‘suitable with his/her gender’, which perpetuates gender roles and responsibilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic chores/responsibilities attributed mainly to girls (hinder education and lead to lower skilled, lower pay jobs)</li> <li>• Law on Children that ascribes children’s responsibilities in relation to their gender</li> <li>• Cultural belief that women are responsible for unpaid work as “contributing family workers”</li> <li>• Job adverts that are segregated leading to lack of opportunity for employment in roles not typically viewed for women/men</li> <li>• Gender stereotypes that ascribe men and boys as providers of the family and are able to carry out manual labour, placing boys at risk of hazardous labour</li> </ul>	<ul style="list-style-type: none"> <li>• Labour Code revisions aiming to close gender gaps</li> <li>• Ratification of core conventions on gender equality by the Government of Viet Nam</li> </ul>
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**Patterns of decision-making**

<ul style="list-style-type: none"> <li>➤ Men’s role as a family’s decision maker is supported by 92 per cent of Vietnamese men and women with women’s decision-making role being limited to managing daily household spending, which is supported by 72.2 per cent of men and women (however, the younger and urban populations are increasingly sharing their decision-making between husbands and wives compared to their older and rural counterparts).</li> <li>➤ 72 per cent of children, regardless of gender, age or location, report that expressing their opinions at</li> </ul>	<ul style="list-style-type: none"> <li>• Gender imbalance in decision making power in the household</li> <li>• Traditional belief that children sharing views that differ from their parents is a sign of disrespect</li> <li>• Lack of agency of children related to whether they work and</li> </ul>	<ul style="list-style-type: none"> <li>• Norm change in sharing decision making in the household in couples of the younger generation</li> <li>• Awareness of parents of harmful impact of child labour</li> </ul>
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<p>home, expressing contrary views to their parents is seen as a sign of disrespect, thus shunned and often accept the decisions made by their parents (e.g., adolescent migration a decision made by parents, and adolescents, particularly adolescent girls, endure such decisions as a 'sacrifice' for the family).</p> <ul style="list-style-type: none"> <li>➤ Parents' lack of awareness regarding the negative effects of child labour and of child labour laws largely influences their decisions to allow their children to engage in labour.</li> <li>➤ COVID-19 pandemic, unemployment and decreased income challenged men's role as the family pillar and weakened their decision-making power, and both men and women were forced to make joint decisions to survive the shock COVID-19 created.</li> </ul>	<p>the type of work they engage in</p> <ul style="list-style-type: none"> <li>• Belief amongst children that migration is for the "sacrifice" of the family</li> </ul>	
<p><b>Access to and control over resources</b></p>		
<ul style="list-style-type: none"> <li>➤ In Viet Nam, female and male surviving spouses do have equal legal rights to inherit assets. Despite gender equality under the law, traditional customs and son preference in Viet Nam deny women and girls ownership of family assets. Husbands are seven times more likely to be the sole owners of real estate than wives; thus, many divorced women lose their residence.</li> <li>➤ More than twenty-one (21.3) per cent of men believe that parents should give residential land and houses only or mainly to sons, while less than 1 per cent of men believe they should give them only or mainly to daughters. Preference of sons for inheritance and the gendered division of labour justify boys' contribution to agriculture-related economic activities and girls' domestic responsibilities.</li> <li>➤ Gender equality has been achieved up to lower secondary education; however, more girls are enrolled at upper secondary than boys (76.7 per cent and 67.7 per cent respectively) as more boys drop out of school at upper secondary level due to their gendered role as providers. This pattern reverses for post-secondary education and vocational training with the enrolment ratio of female students remaining low compared to male students.</li> <li>➤ Though not disaggregated by sex, children with disabilities and children affected by HIV/AIDS face significant challenges to access education in Viet Nam due to stigma and discrimination against them and remain the largest group of out-of-school children.</li> <li>➤ Men's income is higher than that of women in all economic sectors, areas and professions, and the gender wage gap is 29.5 per cent and the gap widens</li> </ul>	<ul style="list-style-type: none"> <li>• Traditional customs that give sons preference for inheritance</li> <li>• Limited access of girls to post-secondary and vocational skills training due to occupational segregation</li> <li>• HIV/AIDS status</li> <li>• Disability</li> <li>• Lack of social protection/insurance in informal sector, reducing family's resilience during shocks like COVID-19, leading to negative coping mechanisms</li> <li>• Lower income of women leading to lack of bargaining power on how income is spent and cycle of poverty</li> </ul>	<ul style="list-style-type: none"> <li>• Resolution No. 28-NQ/TW which will guide social insurance reforms</li> <li>• Action Program for the implementation of the Resolution (Resolution 125/NQ-CP)</li> <li>• Equal inheritance rights under the law</li> </ul>

<p>with age. Two thirds of women in the labour force are employed as 'unpaid family workers.'</p> <ul style="list-style-type: none"> <li>➤ Children engaged in child labour often do not have control over their income with many children giving all their wages to their parents, or their financial contribution is recognised as part of domestic chores by parents</li> <li>➤ The large informal economy is the main limitation for the protection of both women and men in the social insurance system in Viet Nam. Data show that the value of men's pensions was higher than that of women by an average of almost 20 per cent in 2019. Those gaps echo not only gender gaps in participation and earnings throughout the working life, but also women's increased burden of care because the social insurance system does not account for work interruptions to take care of children or elderly family members.</li> <li>➤ Domestic workers remain outside compulsory social insurance, which makes them particularly vulnerable in cases of sickness, maternity and old age. The Labour Code of 2019 (articles 161.5 and 163.2) establishes that employers must "pay the domestic worker an amount of his/her social insurance and health insurance premiums in accordance with the law, for the domestic worker to manage insurance by themselves".</li> <li>➤ Social insurance reform is currently on the agenda of the Vietnamese government. In 2018, the Party promulgated Resolution No. 28-NQ/TW to guide future social insurance reforms and the Government developed an Action Program for the implementation of that Resolution (Resolution 125/NQ-CP in 2018). These instruments established the objective to develop a multi-pillar social insurance system that is integrated and that combines the contributory principles with the principles of equity, equality, sharing and sustainability. The reform also aims to increase the number of informal sector workers participating in social insurance.</li> </ul>		
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**Safety, dignity and well-being**

<ul style="list-style-type: none"> <li>➤ Approximately 62.2 per cent of married women experience at least one form of violence by their intimate partner, and one in ten girls aged 15-19 years had already experienced physical and/or sexual violence from their husband or boyfriend. Women with disabilities experienced higher level of intimate partner violence and childhood sexual abuse compared to women without disabilities. It was recorded that between 2015 and 2019, 81 per cent of child abuse cases were committed against girls, and</li> </ul>	<ul style="list-style-type: none"> <li>• Violence in the household (violence against children, IPV, GBV, harassment)</li> <li>• Family separation because of violence in the household</li> <li>• Migration</li> <li>• Sex ratio and birth imbalance (leads to</li> </ul>	<ul style="list-style-type: none"> <li>• Legislation that establishes criminal penalties for domestic violence, legal penalties for authorizing or entering into child marriage, for trafficking, etc.</li> </ul>
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<p>19 per cent against boys, suggesting a gendered nature of child abuse.</p> <ul style="list-style-type: none"> <li>➤ Structural causes, such as poverty, migration and unemployment often increase the risks of children experiencing violence by family members.</li> <li>➤ Migration increases children’s vulnerabilities to violence. Children migrants are also at higher risk of sexual exploitation, and children migrating with parents also experience sexual violence in the absence of caregivers while their parents work. Forms of GBV, including the early/forced marriage for girls, trafficking in women and girls, sexual exploitation and forced prostitution, take away girls’ right to education and access to decent employment.</li> <li>➤ Women in abusive relationships have less access to resources, credit, markets and extension services, and their access tend to reduce over time, and they suffer from reduced ability to work, employment loss and decreased income</li> <li>➤ Women survivors of physical or sexual violence earned 30.8 per cent less than their counterparts, they spent an average 9,426,500 VND in out-of-pocket expenses, such as healthcare and replacing damaged household items in the past 12 months (equivalent to a quarter of women’s average annual income).</li> <li>➤ Violence in the household is a key driver of child separation, which further drives child labour.</li> <li>➤ At schools, 60 per cent of students from secondary school to university experienced sexual harassment, which was most prevalent among students aged 11 to 15 years old. A separate survey found 71 per cent of LGBTQI+ students having been physically and verbally abused; many victims are boys who do not conform to traditional masculinities.</li> <li>➤ Poor academic performance is the second biggest reason for school dropout and entering child labour, school-related gender-based violence is likely a contribution factor to discontinuation of schools that enter workforce.</li> <li>➤ Trafficking in persons occurs both domestically and internationally in Viet Nam for the purpose of forced marriage, forced labour, sexual exploitation, and child adoption.</li> <li>➤ COVID-19 pandemic, unemployment, poverty, fear and insecurity have increased around the world. They triggered an alarming escalation of violence against women and girls, particularly an increase in domestic violence, rape and child marriage. Although there is a limited data from Viet Nam, the numbers of women calling hotline doubled in the first period of the state</li> </ul>	<p>forced marriage, trafficking, sexual exploitation and forced prostitution)</p> <ul style="list-style-type: none"> <li>• Child marriage</li> <li>• Divorce</li> <li>• LGBTQI+ identify</li> <li>• School dropout related to GBV (includes boys who are subjected to GBV due to non-conformation to traditional masculinities and girls who experience sexual harassment)</li> <li>• COVID-19 pandemic Social stigma attached to girls/women who return after being trafficked/community rejection</li> </ul>	
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lockdown, compared to the same period a year before.		
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**Outcome 2:** Governments have enforced relevant child-rights based laws and have implemented policies on child labour, education, youth economic empowerment and social security.

**Laws, policies, regulations and institutional practices**

<ul style="list-style-type: none"> <li>➤ Government of Viet Nam has a strong commitment to promoting gender equality through laws and policies. Current efforts are geared at increasing women’s opportunities to enterprise development; preventing labour exploitation of (migrant) children and women; and strengthening the equality dimension in labour legislation, such as prohibiting direct and indirect discrimination, and promoting equal pay for work of equal value, action against sexual harassment and equalising the retirement ages for women and men.</li> <li>➤ The relationship between law, regulations and their impact on gender equality is a key policy issue. Three types of legal and institutional frameworks are of importance: labour legislation, business regulations, and legal frameworks, which secure rights to property, title, assets and financial capital. All these three areas have a gender dimension and impact labour in the informal sector.</li> <li>➤ Related to the regulation of child labour in the informal sector, including domestic work, while laws exist, regulation is challenging since most children work in small scale production and business establishments, participating in the various stages and activities of supply chains that exist in small factories or households, which are not necessarily detected by the large corporations and companies, and state management agencies. While the laws, policies, and programs currently in place act to protect girls and boys from engaging in child labour, and promote gender equality, there is a gap in its enforcement in the informal sector.</li> </ul>	<ul style="list-style-type: none"> <li>• Invisibility of child labour in the informal sector leading to lack of enforcement of legislation and policies</li> </ul>	<ul style="list-style-type: none"> <li>• Existence of laws, policies and programs to promote gender equality and eradicate child labour in Viet Nam</li> <li>• Government of Viet Nam’s commitment to combat child labour and enhance gender equality</li> </ul>
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## 4.1. Findings from the literature review

### 4.1.1. Laws, policies, regulations and institutional practices

The Government of Viet Nam has a strong commitment to promoting gender equality through laws and policies. The ILO and Vietnamese constituents have long cooperated on promoting gender equality among male and female workers. Current joint efforts are geared towards increasing women's opportunities to enterprise development; preventing labour exploitation of (migrant) children and women; and strengthening the equality dimension in labour legislation, such as prohibiting direct and indirect discrimination, and promoting equal pay for work of equal value, action against sexual harassment and equalising the retirement ages for women and men. Table 5 summarises a few of the key legislation and policies the Government of Viet Nam has taken to promote gender equality.

**Table 5: National Legislation, policies and actions**

National Legislation, Policies and Actions	Summary of Articles
<b>The Labour Code (2019)</b>	Chapter X: Provision application to female employees and assurance of gender equality. <b>Article 135:</b> State policies. 1) Equality between male and female employees shall be ensured: necessary measures for ensuring gender equality and prevention of sexual harassment in the workplace shall be implemented; <b>Article 136.</b> Responsibilities of the employer: 2. Consult with female employees or their representatives when taking decisions, which affect their rights and interests; 4. Assist in building day care facilities and kindergartens, or cover a part of the childcare expenses incurred by employees; <b>Article 137:</b> Maternity Protection
<b>Law on Gender Equality (2006)</b>	<b>Article 5:</b> Gender equality means that men and women have equal positions, roles, and opportunities to develop their capacities for the benefit of their family and community, and to equally enjoy earnings from such achievements. <b>Article 13:</b> Gender Equality in the field of labour: 1. Man and woman are equal in terms of qualifications and age in recruitment; are treated equally in workplaces regarding work, wages, pay and bonus, social insurance, labour conditions, and other working conditions. 3. Measures to promote gender equality in the field of labour include: a) To provide for proportion of man and woman to be recruited; b) To train and enhance capacity and capability for female workers; c) Employers create safe and hygienic working condition for female workers in some hard and dangerous occupations, or those that have direct contact with harmful substances. <b>Article 14:</b> Gender equality in the field of education and training 1. Man and woman are equal in terms of age for schooling, training, and fostering courses. 2. Man and woman are equal in choosing professions and occupations for learning and training. 3. Man and woman are equal in accessing and benefiting from the policies on education, training, fostering of professional knowledge, and skills. <b>Article 18:</b> Gender Equality within families. 4. Boys and girls are given equal care, education, and provided with equal opportunities to study, work, enjoy, entertain, and develop by the family. 5. Female and male members in the family have the responsibility to share housework.
<b>Law on Promulgation of Legal Normative</b>	Requires gender mainstreaming in all legal documents. Particularly, Law on Promulgation of Legal Normative Documents, Article 35 (2) requires conducting a gender-impact assessment of the draft laws and policies (if any).

<b>documents (2015, amended in 2020)</b>	
<b>The Resolution No. 28/NQ-CP</b> on promulgation of the National Strategy on Gender Equality in the period of 2021 – 2030 is issued on March 03, 2021 by the Government.	National Strategy on gender equality determines the overall objective: "continuing to reduce the gender gap, enable women and men to participate in and benefit from equality in all aspects of social lives to contribute to national sustainable development." The Strategy set outs the following objectives: By 2025, 60 per cent and by 2030, over 75 per cent of state management agencies and local administration at all levels shall have female leaders; Increase the rate of female employees engaged in paid work to 50% by 2025 and to approximately 60 per cent by 2030; Reducing women's average hours of housework and domestic care without wage to 1.7 times in 2025 and 1.4 times in 2030 compared to men; etc.

The relationship between law, regulations and their impact on gender equality is a key policy issue. Three types of legal and institutional frameworks are of importance: labour legislation, business regulations, and legal frameworks, which secure rights to property, title, assets and financial capital. All these three areas have a gender dimension and impact labour in the informal sector. There must therefore be a national-level analysis of how existing labour legislation can be extended to cover different groups of informal workers and where new legislation may be required, as well as an analysis of the gendered implications of which labour standards are more likely to be monitored and enforced than others.

Related to the regulation of child labour in the informal sector, as well as domestic work, while laws exist, regulation is challenging since most children work in small scale production and business establishments, participating in the various stages and activities of supply chains that exist in small factories or households, which are not necessarily detected by the large corporations and companies, and state management agencies, as described above.<sup>101</sup> While the laws, policies, and programs currently in place act to protect girls and boys from engaging in child labour, and promote gender equality, there is a gap in its enforcement in the informal sector and overall regulation is not gender-sensitive.

<i>Risk factors</i>	<i>Protective factors</i>
<ul style="list-style-type: none"> <li>Invisibility of child labour in the informal sectors leading to lack of enforcement of legislation and policies</li> </ul>	<ul style="list-style-type: none"> <li>Existence of laws, policies and programs to promote gender equality and eradicate child labour in Viet Nam</li> </ul>

#### 4.1.2. Social norms, beliefs and practices

The division of gender roles in Viet Nam was strongly influenced by the Confucianism in which men were considered as the "stronger sex," hence a cultural norm is that men should be decision-makers and breadwinners and women should

<sup>101</sup> ILO and MOLISA, 2020

play a role (considered as subordinate) in families, such as the primary caregiver and homemaker.<sup>102</sup> Women generally carry out low-skilled and low-paid work often related to tourism, the garment industry or handicrafts. This reflects the cultural expectation that "a woman's place is the home" and that women are particularly well suited to tasks that are extensions of domestic work.<sup>103</sup> Gender norms around the "male breadwinner" and the "female caregiver" limit the ability of women and girls to effectively engage in income generating activities, and to make decisions about their professions. COVID-19 has led to a greater emphasis on traditional roles as more women have taken on the burden of childcare, schooling children, and domestic chores, thereby augmenting existing inequalities, as discussed in section 2.3.6.<sup>104</sup>

Gender bias also remains a challenging issue in Viet Nam. Son preference still exists in families with parents often showing favouritism towards sons over daughters.<sup>105</sup> A common belief is that "*girls are the other's daughters*" (*con gái là con người ta*) because they will grow up and marry and are therefore responsible to serve their husband and parents in-laws. As a result, girls are often required to learn to cook and perform household chores, and boys are not. In addition, many Vietnamese hold strong beliefs regarding the appropriate behaviours of girls and women. Girls and women are often required to put their families first, even at the expense of their own health or aspirations, and to defer to male authority.<sup>106</sup> The Law on Gender Equality (2006), Article 18 clearly stipulates that that wife and husband are equal in the civil relationship and other relationships related to marriage and family; have equal rights and duties in possessing common assets and are equal in using their common income and in deciding their family resources; and that boys and girls are to be given equal care, education and provided with equal opportunities to study, work, enjoy, entertain and develop by the family.<sup>107</sup> However, these values are not reflected in widespread cultural, social and gender norms. Gender stereotypes are pervasive in the media and women are under-represented as subject matter experts.<sup>108</sup>

Gender norms have a significant influence on fields of study. There is a widespread assumption that men are better at jobs requiring technical skills. This assumption is part of the reason why fewer female adolescents and women complete a higher education in the sciences, technology, engineering, and mathematics (STEM).<sup>109</sup> These findings reflect those of the National Survey on Child Labour. Stereotypes regarding the capabilities, aspirations, and preferences of girls, boys, women and men remain prevalent and affect employers' perceptions of skills, thereby

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<sup>102</sup> ILSA, 2022

<sup>103</sup> Equilo, 2022a

<sup>104</sup> ILO, 2021a

<sup>105</sup> UNDP, 2016

<sup>106</sup> Gender Situation Analysis, 2005

<sup>107</sup> Gender Equality Law, 2006

<sup>108</sup> UN Women, 2021

<sup>109</sup> Equilo, 2022a

contributing to gender segregation across certain sectors. For example, “among the gender-preferred postings, males are often targeted for more technical and highly skilled jobs or jobs that require outdoor activities, such as architects (100 per cent of gender-preferred job ads requiring men), drivers (100 per cent), engineers (99 per cent) and IT professionals (97 per cent). Meanwhile, females are preferred for office and support work, such as receptionists (95 per cent), secretaries and assistants (95 per cent), accountants, human resources, and general affairs (70 per cent).”<sup>110</sup> There is also a gap in vocational training enrolment, which reflects these gender patterns. The ratio of female students to male students remains low.<sup>111</sup>

Most boys and girls will eventually channel what are perceived as male or female professional roles. Gender roles frequently determine the type, conditions and hours of work performed by boys and girls. Importantly, gender inequalities reflected in the labour force mean that girls and boys often have unequal opportunities. Within families, girls typically perform more household chores, a burden that increased during school closures. In Viet Nam, they are also more likely to be domestic workers.<sup>112</sup> This form of child labour is normally hidden from public view and beyond the scope of labour inspectorates, leaving children especially vulnerable to abuse. In addition, gender and cultural norms lead to early child marriage, especially at mountainous areas in Viet Nam,<sup>113</sup> which itself is a risk factor of child labour.

Due to these existing norms female-headed households are often subjected to poverty; working hours and paid gaps; limited access to resources such as land, property and formal credit and job training; and have poor representation in decision-making positions, particularly at the local level.<sup>114</sup> It is therefore likely that children in female-headed households are more susceptible to engagement in child labour.

Community-based dialogue, social and behaviour change interventions, and parenting programmes can help counter unequal gender norms that encourage overburdening girls with household chores in their own homes. Cash transfers and other social assistance programmes, which help reduce the economic insecurity that leads to child labour, can be explicitly designed to diminish financial barriers to quality learning for girls. The education sector also has a crucial role in overturning harmful gender norms and stereotypes that influence child labour. Girls need support to pursue education that leads to equal employment opportunities in all sectors, including in fields such as science and technology. Schools should deliver gender-transformative education programmes that build job skills and counter gender bias for certain types of work, generating incentives to keep both girls and

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<sup>110</sup> ILO, 2015

<sup>111</sup> ILO, 2021b

<sup>112</sup> ILO, 2006a

<sup>113</sup> IAGCI, 2021

<sup>114</sup> Gender Situation Analysis, 2005

boys in school.

Other important measures encompass a better distribution of female and male teachers from pre-primary through secondary education, gender responsive policies advancing the careers of both male and female teachers, and investing in professional development that equips teachers with skills to create safe learning environments and transform harmful gender norms in the classroom and beyond.<sup>115</sup> Lastly, explicit laws, enforcement mechanisms and child protection interventions are needed to counter the risks faced by girls and boys engaged in domestic work. Social or public works programmes can include information and behaviour change components to prevent gender-based violence and other abuses.

<i>Risk factors</i>	<i>Protective factors</i>
<ul style="list-style-type: none"><li>• Gender stereotypes, influencing fields of study, vocational skills training, and streaming into a narrow range of occupations leading to segregation of labour</li><li>• Informal, low skilled nature of women's work, which is unprotected and low paid make children of female-headed family more vulnerable to child labour.</li><li>• Bias against women in leadership</li><li>• Traditional beliefs on appropriate behaviours of girls, boys, women and men and roles in the household</li></ul>	<ul style="list-style-type: none"><li>• National legislation on gender equality, such as the Gender Equality Law</li><li>• Access to effective formal and non-formal education for girls and boys</li></ul>

#### **4.1.3. Roles, responsibilities and time use**

At the root of labour market inequalities are the traditional roles that girls and women are expected to play, perpetuated by both social norms as well as by legislation. Under the traditional gendered division of labour, girls and boys and women and men are assigned different roles that correspond to gender, social, and cultural norms. Gender roles determine designated responsibilities and the time that girls and boys and women and men allocate to paid work, family and household tasks, political engagement, community life, and other social activities. As described in the previous section, in Viet Nam men are encouraged to primarily take on productive roles (the "male breadwinner") to ensure the economic stability of their family, women are usually assigned reproductive roles (the "female caregiver"), while also engaging in paid and productive work due to economic necessities and growing social acceptance of working women. These gender norms, which confine men to breadwinning roles and women to caregiving and

homemaking prevent women's economic empowerment, and perpetuate gender inequalities.

Assigned gender roles also limit women's workforce participation. Women are more likely to seek work in informal sectors in order to accommodate their unpaid care responsibilities, leaving them with limited social benefits and unprotected by labour laws. Ultimately, these factors combined result in family responsibilities being the number one barrier to women's leadership and advancement in the workplace, and they can perpetuate cycles of poverty, one of the leading causes of child labour. Women's greater time poverty caused by the combination of their paid and unpaid work also reduces their ability to access financial institutions and to make use of the services they provide.

Women and girls in Viet Nam have a double burden, which is well known and traditionally encouraged. A Vietnamese saying reminds women to be "good at national tasks (i.e. work outside the household) and good at housework".<sup>116</sup> The average Vietnamese adult (aged 20+) in 2015 spent 22.3 hours per week in market work, and 32.6 hours per week in unpaid care and housework, traditionally referred to as "women's work". For women, these figures are 19.7 hours and 38.7 hours, and for men 25.1 hours and 26.2 hours. Unpaid care and housework represent 61 per cent of all work time in Vietnam, and women are responsible for 60 per cent of it. Women also do 45 per cent of all market work.

As previously mentioned, children's gender roles and responsibilities mirror that of adults. In Vietnam, boys and girls aged 10 to 16 years spend an average of 29.0 hours per week in education, but the number for boys is 31.0 hours while for girls it is 27.1 hours, a disadvantage for girls of 3.8 hours per week. Thus, parity in enrolment rates can be undermined if boys and girls have different patterns of absences or time before or after school for study.<sup>117</sup> [citation to be added] .

Over forty (40.6) per cent of Vietnamese girls aged 5-17 years spend five hours or more per week on domestic chores compared to 27.9 per cent of boys.<sup>118</sup>

The gender gap widens among out-of-school children and children who carry a heavy burden on these activities. More than sixty (67.1) per cent of out-of-school girls spend five or more hours on domestic chores, compared to 36.2 per cent of boys.<sup>119</sup> Three times more school-going girls and four times more out-of-school girls spend 20 or more hours a week on domestic chores than their male counterparts.<sup>120</sup> Such norms are further enforced by Law on Children (2016), which ascribes children's duty to help parents with households that are 'suitable with his/her gender'. Outside of domestic spheres, boys are delegated to earn money for the family, as

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<sup>116</sup> ILO, 2003

<sup>117</sup> Count Women's Work, 2017

<sup>118</sup> ILO and MOLISA, 2020

<sup>119</sup> Ibid.

<sup>120</sup> Ibid.

men's role as 'providers'. Gender stereotypes that boys are less interested in education than girls, while boys are tougher and more suited to manual labour, agricultural or construction work, increase the risks of boys' exposure to hazardous work.<sup>121</sup>

Unpaid care work and domestic chores pose significant barriers to women and girls' access to education, skills development, and career opportunities. Twenty (20) per cent of women reported discontinuation of education due to household chores, compared to 7 per cent of men.<sup>122</sup> Forty (40) per cent of women who are not in paid work cited domestic responsibilities as the main reason.<sup>123</sup> Gender inequality also persists in employment, including quality of employment and pay. Women in HCMC account for 57.7 per cent of the labour force, compared to 74.5 per cent of men, while women in Dong Thap account for 66.6 per cent of labour force, compared to 82.5 per cent of men.<sup>124</sup> Alarming, 65.4 per cent of women in the labour force are 'unpaid family workers', mostly in agriculture<sup>125</sup>, signifying women's low status within the family and denial for their economic independence. Rural women are almost three times more likely than rural men to be engaged in unpaid labour.<sup>126</sup> Ninety (90) per cent of domestic workers –most of them women and girls– do not hold an employment contract,<sup>127</sup> rendering them one of the most exploitable categories of workers in Viet Nam. Among migrant couples, some men take on childcare responsibilities if they are unemployed and women are in paid employment, although other housework beyond childcare is considered the women's responsibility.<sup>128</sup> Women report that the main reason for choosing flexible yet low-paid, low-skilled and unstable jobs is to fulfil their domestic responsibilities.<sup>129</sup>

Overall, the labour market participation of women is remarkably high in Viet Nam. However, despite their high labour market participation overall, women in Viet Nam still face unequal opportunity to engage in the economic activity compared to men.<sup>130</sup> The high labour force participation and low unemployment mask relatively poorer employment quality for women. Viet Nam's sizeable informal economy plays an important role in creating easy access to income-generating opportunities for women and men, which contributes to the high levels of economic activity and low unemployment. However, jobs in the informal economy are unprotected and informal workers face large poverty and occupational risks.<sup>131</sup> In Viet Nam, men are relatively more likely to be in informal employment than women (the informal

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<sup>121</sup> UNICEF, 2019

<sup>122</sup> UN Women, 2021

<sup>123</sup> World Bank, 2018 cited in UN Women, 2021

<sup>124</sup> GSO, 2019

<sup>125</sup> Ibid.

<sup>126</sup> Ibid.

<sup>127</sup> UN Women, 2021

<sup>128</sup> CARE International, 2020

<sup>129</sup> World Bank, 2018 cited in UN Women, 2021

<sup>130</sup> ILO, 2021b

<sup>131</sup> Ibid.



employment rate in 2019 was 67.2 per cent among women, and 78.9 per cent among men); however, women are overrepresented among an especially disadvantaged category of informal workers – that of contributing family workers – who experience even greater economic risks, and lack regular payments and access to social protection.<sup>132</sup> In 2019, 65.8 per cent of contributing family workers in Viet Nam was women. They represented almost one-fourth (24.1 per cent) of rural female employment, as opposed to one-tenth (10.7 per cent) of male rural employment.<sup>133</sup>

Social norms determine the roles and responsibilities as described in the previous section. But in Viet Nam, the response at policy and societal level has been an acknowledgment of such traditional roles as a fact, and a tendency to ‘protect’ women in them. Hence, the lower mandatory retirement age for women than men, or the exclusion of female workers from certain jobs. These choices have perpetuated the traditional gender roles at the origin of the inequalities.<sup>134</sup> At the policy level, the Labour Code that came into effect on the 1<sup>st</sup> January of 2021 opens opportunities to close gender gaps in employment. For example, the Code introduces a reduction in the retirement age gap, which will gradually be implemented. In addition, under the new Code, female workers will no longer be excluded by law from certain occupations considered as harmful for childbearing and parenting functions. Rather, they will have a right to choose whether or not to engage in such occupations, after being fully informed of the risks involved. These signs of progress show a willingness to improve equal opportunity in the world of work. However, the Labour Code still frames provisions towards gender equality as pertaining to ‘female workers’. Traditional gender roles are still entrenched in the mindsets of individuals and influence their economic behaviour.<sup>135</sup> Viet Nam’s Socio-Economic Development Strategy for 2021-30 is expected to call for gender gaps to be reduced across several areas of the political, economic, and social lives of citizens. If this goal is to be achieved, a genuine process of challenging and eradicating traditional gender inequalities needs to begin.

The Law on Gender Equality also stipulates that men and women should be treated equally in workplaces, in terms of recruitment, wages, pay and bonuses, social insurance, working conditions, training and promotion. In addition, clear goals to ensure non-discrimination in the workplace, including an equal share of new jobs for men and women, and the reduction of the burden of family responsibilities on women, are included in the National Strategy on Gender Equality for the 2011-20 period. Viet Nam also ratified relevant ILO core conventions on equality, namely Equal Remuneration Convention (Convention No 100) and Discrimination (Employment and Occupation) Convention (Convention No 111) in 1997.

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<sup>132</sup> Ibid.

<sup>133</sup> Ibid.

<sup>134</sup> ILO, 2015

<sup>135</sup> Ibid.

While the laws and policies provide a sound legal framework to protect women and men from gender-based discrimination, much remains to be done in practice. How policies are designed and enforced is critical to determining their effectiveness. Gender-based discrimination leads to occupational and vertical segregation. While job advertisements should avoid any mention of gender as this represents a direct form of gender-based discrimination, the relevant data has indicated that such a practice is still common in Viet Nam. By doing so, the qualifications and competencies requested for the post tend to be subordinate to gender-based prejudices. Despite growing evidence demonstrating positive links between women’s participation and business performance, there is a long way to go for Viet Nam to achieve true gender equality in the workplace, especially when it comes to top management positions. This bias is clearly linked to gender stereotyping where men and women are assigned roles and responsibilities.

<i>Risk factors</i>	<i>Protective factors</i>
<ul style="list-style-type: none"> <li>• Domestic chores/responsibilities attributed mainly to girls (hinder education and lead to lower skilled, lower pay jobs)</li> <li>• Law on Children that ascribes children’s responsibilities in relation to their gender</li> <li>• Cultural belief that women are responsible for unpaid work as “contributing family workers”</li> <li>• Job adverts that are segregated leading to lack of opportunity for employment in roles not typically viewed for women/men</li> <li>• Gender stereotypes that ascribe men and boys as providers of the family and are able to carry out manual labour, placing boys at risk of hazardous labour</li> </ul>	<ul style="list-style-type: none"> <li>• Labour Code revisions aiming to close gender gaps</li> <li>• Ratification of core conventions on gender equality by the Government of Viet Nam</li> </ul>

#### **4.1.4. Patterns of decision-making**

Decision-making power and personal agency is fundamental to meaningfully participation in decent work, and to gain control over assets and financial resources. While husbands and wives participate in household decision-making<sup>136</sup>, husbands often have the final say in making ‘important’ decisions, such as large family expenditures and investments.<sup>137</sup> The head of the household often manages the

<sup>136</sup> ISDS, 2020; UN Women, 2021

<sup>137</sup> ISDS, 2020

household income.<sup>138</sup> Men’s role as a family’s decision maker is supported by 92 per cent of Vietnamese men and women.<sup>139</sup> Women’s decision-making role is limited to managing daily household spending<sup>140</sup>, a role supported by 72.2 per cent of men and women.<sup>141</sup> However, the younger and urban populations are increasingly sharing their decision-making between husbands and wives compared to their older and rural counterparts. For example, 53.7 per cent of 18-29 years old men in urban areas make decisions about large household spending jointly with their wives, only 37 per cent of rural youth do so.<sup>142</sup>

While 72 per cent of children, regardless of gender, age or location, report expressing their opinions at home, expressing contrary views to their parents is seen as a sign of disrespect, thus shunned.<sup>143</sup> Subsequently, children often accept the decisions made by their parents even if it is not in their best interest. For example, adolescent migration is the decision made by the family<sup>144</sup>, and adolescents, particularly adolescent girls, endure such family decisions as a ‘sacrifice’ for the family.<sup>145</sup> This suggests that children have limited decision-making power in entering the workforce in terms of their roles. Further, individuals such as women and girls with disabilities, from minority ethnic groups, or who live in poverty often experience heightened agency constraints when it comes to decisions around marriage. This can perpetuate early child marriage, a factor that enhances the risk of child labour when girls take on domestic work and leave the education system. Evidence also suggests parents’ awareness regarding the negative effects of child labour and related laws largely influence their decisions to allow their children to engage in labour.<sup>146</sup> According to the National Survey on Child Labour, the most important factor in preventing child labour is the awareness of parents of its harmful impacts.<sup>147</sup>

During the COVID-19 pandemic, unemployment and decreased income challenged men’s role as the family pillar and weakened their decision-making power, and both men and women were forced to make joint decisions to survive the crisis<sup>148</sup>, impacting household decision-making.

<i>Risk factors</i>	<i>Protective factors</i>
<ul style="list-style-type: none"> <li>• Gender imbalance in decision making power in the household</li> </ul>	<ul style="list-style-type: none"> <li>• Norm change in sharing decision making in the household in couples of the younger generation</li> </ul>

<sup>138</sup> ILO and MOLISA, 2020

<sup>139</sup> ISDS, 2015

<sup>140</sup> UNICEF, 2020a; ISDS, 2020; UN Women, 2021

<sup>141</sup> ISDS, 2015

<sup>142</sup> ISDS 2020

<sup>143</sup> MSD and Save the Children, 2020

<sup>144</sup> Nicola et al, 2015

<sup>145</sup> UNICEF, 2019

<sup>146</sup> ILO, 2018

<sup>147</sup> ILO and MOLISA, 2020

<sup>148</sup> ISDS, 2020

<ul style="list-style-type: none"> <li>• Traditional belief that children sharing views that differ from their parents is a sign of disrespect</li> <li>• Lack of agency of children related to whether they work and the type of work they engage in</li> <li>• Belief amongst children that migration is for the “sacrifice” of the family</li> </ul>	<ul style="list-style-type: none"> <li>• Awareness of parents of harmful impact of child labour</li> </ul>
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#### 4.1.5. Access to and control over resources

Economic empowerment, notably through deeper and more developed financial systems, is recognised as a critical factor in promoting the agency of women and girls, reducing poverty, and tackling gender inequalities. Given that titled lands and house ownership are often a preferred form of collateral for loans offered by financial institutions, women, youth, and low-income individuals’ limited property ownership can impede their access to credit. Cumbersome loan requirements can also hinder women’s ability to obtain credit, as they may not be able to provide a guarantor, or for women entrepreneurs, they may lack access to business statements and records. Lower financial literacy rates among women represent an additional barrier when providing financial institutions with the requested documentation.

**Assets** - In Viet Nam, female and male surviving spouses do have equal legal rights to inherit assets.<sup>149</sup> Despite gender equality under the law, traditional customs and son preference in Viet Nam deny women and girls ownership of family assets. Husbands are seven times more likely to be the sole owners of real estate than wives,<sup>150</sup> thus many divorced women lose their residence.<sup>151</sup> The pattern is similar for other family assets, including vehicles and production and business facilities.<sup>152</sup> More than twenty-one (21.3) per cent of men believe that parents should give residential land and houses only or mainly to sons, while less than 1 per cent of men believe they should give them only or mainly to daughters.<sup>153</sup>

Men’s control over family assets grants their decision-making power over how and who uses assets for income generation, often assigning women and boys to participate in income generation as contributing family members. The preference of sons for inheritance and the gendered division of labour justifies boys’ contribution to agriculture-related economic activities and girls’ domestic responsibilities.

<sup>149</sup> Equilo, 2022a and 2022b

<sup>150</sup> ISDS, 2020

<sup>151</sup> UN Women, 2021

<sup>152</sup> ISDS, 2020

<sup>153</sup> ISDS, 2020

On average, women in Viet Nam earn less than men do.<sup>154</sup> There are multiple reasons for this, including occupational segregation, which occurs when occupations and sectors with higher earnings are male dominated, and the “glass ceiling” of constraints faced by women striving to reach top positions in business and politics.<sup>155</sup><sup>156</sup>

**Education and income** - In general, family finances largely determine children's access to education.<sup>157</sup> Inequality between men and women in labour market. It resulted in a gender pay gap in Viet Nam, for example the average monthly salary of female workers in 2004 was only 80 percent of that of male workers, but this rate increased gradually and reached 88.3 percent in 2016.<sup>158</sup> This suggests that children of female-headed households might have less opportunity to access quality education. As described in the previous section, women and girls time poverty is one of biggest barriers for them to continue education or spend adequate time to education.

However, more girls are enrolled at upper secondary than boys (76.7 per cent and 67.7 per cent respectively<sup>159</sup>) as more boys drop out of school at upper secondary level due to their gendered role as providers.<sup>160</sup> However, this pattern reverses for post-secondary education and vocational training. The enrolment ratio of female students remains low compared to male students for the period of the 2015-2018<sup>161</sup>, confirming women's limited access to skills building beyond formal education. In addition, women only account for 28 per cent of doctoral degrees<sup>162</sup>, suggesting the gendered role of men as highly skilled professionals.

Though not disaggregated by sex, children with disabilities and children affected by HIV/AIDS face significant challenges to access education in Viet Nam due to stigma and discrimination against them. They remain the largest group of out-of-school children in Viet Nam<sup>163</sup>, and this likely affects more girls due to their intersectionality. Reduced access to lower level education for boys is the result of, and contributing factor to child labour, while reduced access to higher level education reduces girls' future career opportunities in high skilled, technical and stable jobs.

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<sup>154</sup> ILO, 2021b

<sup>155</sup> ILO, 2021a

<sup>156</sup> The principle of equal pay for work of equal value is an important aspect of equality in the world of work, as emphasised by SDG 8.5. Viet Nam has committed to pursue this principle when it ratified ILO Convention No. 100, on Equal Remuneration. In 2019, the weighted gender pay gap based on monthly wages was 13.7 per cent.

<sup>157</sup> Work No Child's Business baseline survey, 2020

<sup>158</sup> Gabriel O. Nguyen H. O., and Nguyen H.H., 2020

<sup>159</sup> Viet Nam Household Living Standard Survey, 2018, cited in UN Women, 2021

<sup>160</sup> UNICEF, 2019

<sup>161</sup> ILO, 2021b

<sup>162</sup> Ministry of Education and Training, 2019. Report on implementation of the gender equality law and national targets on gender equality in 2018 in education sector. Hanoi: MOET cited in UN Women 2021

<sup>163</sup> UN Women, 2021

Men's income is higher than that of women in all economic sectors, areas and professions, and the gender wage gap is 29.5 per cent and the gap widens with age.<sup>164</sup> Two thirds of women in the labour force are employed as 'unpaid family workers.'<sup>165</sup> Women spend twice more hours than men on unpaid care work and domestic chores,<sup>166</sup> which if costed would equate to 20 per cent of the total GDP in Viet Nam<sup>167</sup>. Rural women have less control over how remittances are spent.<sup>168</sup>

Children engaged in child labour often do not have control over their income with many children giving all their wages to their parents<sup>169</sup>, or their financial contribution is recognised as part of domestic chores by parents.<sup>170</sup> Women and children's limited access to income and men's decision-making role within the household reduce women's bargaining power over how family finances are invested.

**Social protection and social insurance** - In social insurance systems, benefit entitlements depend on past working trajectories, contributions and earnings. Since women have different paid and unpaid working lives from men, social security systems also often have different outcomes for women.<sup>171</sup> Several aspects of women's life courses influence their experience with social insurance: lower labour force participation, lower earnings, higher life expectancy, maternity and unpaid care work.<sup>172</sup> The large informal economy is the main limitation for the protection of both women and men in the social insurance system in Viet Nam.<sup>173</sup>

Social insurance systems usually link pensions and benefits to workers' past employment histories. Therefore, if no compensation measures are in place, those benefits can reflect the accumulation of disadvantages across multiple dimensions that women face in the labour market and at home throughout their lives. In Viet Nam, recent data show that the value of men's pensions was higher than that of women by an average of almost 20 per cent in 2019.<sup>174</sup> Those gaps echo not only gender gaps in participation and earnings throughout the working life, but also women's increased burden of care. The social insurance system does not account for work interruptions to take care of children or elderly family members. Childbearing, in particular, can have adverse impacts on women's pension benefits because of its effect on women's labour force participation, earnings and thus, contributory histories.

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<sup>164</sup> GSO, 2019

<sup>165</sup> Ibid.

<sup>166</sup> Ibid.

<sup>167</sup> Action Aid, 2017

<sup>168</sup> UN Women, 2021

<sup>169</sup> UNICEF, 2019

<sup>170</sup> Work No Child's Business baseline survey, 2020

<sup>171</sup> ILO, 2021a

<sup>172</sup> Ibid.

<sup>173</sup> Ibid.

<sup>174</sup> Ibid.

In Viet Nam, women's high take-up of lump sum withdrawals also plays an important role in shortening women's accumulation of contribution records. Detailed data show that young women take most lump-sum withdrawals in Viet Nam. This suggests a link between women's broken careers and childbirth, and those other short-term benefits like maternity and unemployment insurance might not be sufficient to support women through those periods of their working lives.<sup>175</sup> Child credits could work as an incentive to encourage women to maintain their contributions in the system for retirement, rather than withdrawing lump sums, because they increase their chance to qualify for a pension. Further, an estimated 350,000 workers are domestic workers in Viet Nam,<sup>176</sup> a typically heavily feminized and highly vulnerable occupation. Despite the growing importance of this type of work for many women and households and the policies implemented for this sector, domestic workers remain outside compulsory social insurance, which makes them particularly vulnerable in cases of sickness, maternity and old age. The Labour Code of 2019 (articles 161.5 and 163.2) establishes that employers must "pay the domestic worker an amount of his/her social insurance and health insurance premiums in accordance with the law, for the domestic worker to manage insurance by themselves;" however, affiliation is unlikely to effectively occur.<sup>177</sup>

A social insurance reform is currently on the agenda of the Vietnamese government. In 2018, the Party promulgated Resolution No. 28-NQ/TW to guide future social insurance reforms and the Government developed an Action Program for the implementation of that Resolution (Resolution 125/NQ-CP in 2018). These instruments established the objective to develop a multi-pillar social insurance system that is integrated and modern and that combines the contributory principles with the principles of equity, equality, sharing and sustainability. The reform also aims to increase the number of informal sector workers participating in social insurance, to modify the qualifying conditions to enjoy old age pensions in a flexible manner, expanding compulsory insurance to cover other groups of people, and revising pension benefit indexation mechanisms.

Shocks, such as the COVID-19 pandemic can undermine social protection rights, and seriously reduce a family's resilience, leading them to resort to negative coping mechanisms like child labour. While the labour force reduction may be temporary, if economic recovery is slow, it may have a long-term impact on work trajectories, reducing the contribution credits that workers have when reaching the retirement age, thus affecting their pension rights and benefits, which can lead to further poverty in older age.

As the findings above indicate, the gender inequality in access to income and social protection mechanisms contributes to women's economically vulnerability in Viet Nam. This vulnerability could mean that children of female-headed households

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<sup>175</sup> Ibid.

<sup>176</sup> Addati et al., 2018

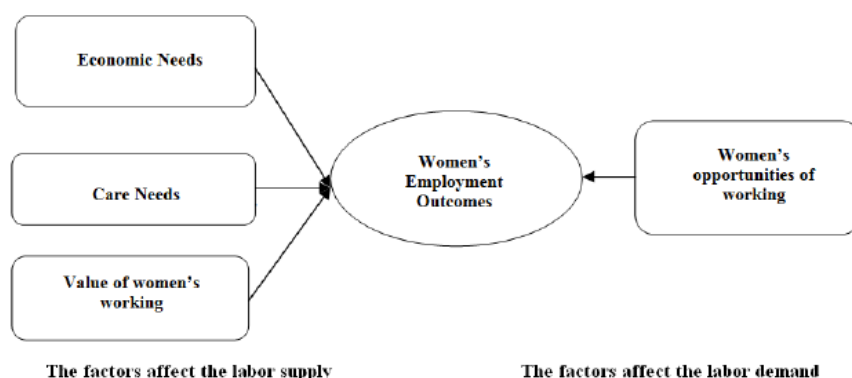
<sup>177</sup> ILO, 2021a

may be more vulnerable to child labour. Among those dropping out of school, there may be lessons around parent's value of education, (60.9%), children being unable to study or not liking school (60.4%), and factors related to disadvantaged family circumstances (59.5%) that could be explored and influenced in some households.<sup>178</sup> It.

[Though not disaggregated by sex, children with disabilities and children affected by HIV and AIDS face significant challenges in accessing education in Viet Nam due to stigma and discrimination. They remain the largest group of out-of-school children in Viet Nam<sup>179</sup>, and this likely affects more girls due to their intersectionality. Reduced access to lower-level education for boys is the result of, and contributing factor to child labour, while reduced access to higher level education reduces girls'

Both men's and women's employment opportunity has increased in the past decades. But the ratios of female employment although increased are lower than that of men at a difference ranging from almost 7 to 9 percentage points and tends to increase in recent years. This suggests that the growth rate of men's employment is higher than women.<sup>180</sup>

The study: Determinants of Female Employment Outcomes (2018) in Vietnam provides interesting insights about determinants for women to access to decent employment (see figure below from Nho and Yamada, 2018).



This study found out that women's employment is informed by needs, values, and opportunities. Having less economic needs, such as women having partner or living in wealthy households or the household with the high employed ratio, create favourable conditions for women to choose higher-skilled jobs. Consequently,

<sup>178</sup> General Statistics Office of Vietnam, 2018

<sup>179</sup> UN Women, 2021

<sup>180</sup> Ngo Q.A. and Yamada K., 2018



economic needs remain a barrier and family support is an advantage for women to obtain higher-skilled jobs in Vietnam. Besides, the care needs, due to the presence of younger children or the elderly and the lower care ratio are associated with unskilled female employment.<sup>181</sup> Considering the values of women working, the results show that young women, women having the head of the household with a higher level of education and wage-employed, more often got higher skilled work.

These findings suggest that in less traditional situations, women have a higher tendency to enter the higher skilled labour market, hence traditional values still constitute a barrier to women's employment outcomes. In general, women with higher levels of education appreciate their career, so they choose jobs with higher skills. The importance of opportunities was exemplified by the existence of positive effects of the women's training and their urban living, and their ethnic background. These imply that human capital, social capital and regional development facilitate women's employment outcomes.<sup>182</sup>

Education including the opportunities for learning in higher-education and vocational training will help women to gain a better job opportunity however this intervention alone does not help women to access better jobs as their ability to work is largely depending on their care roles at home. It requires policy and intervention to reduce women and girls' dual burden. This cycle break is also critical to increase time available for girls and women to spend in education.

<i>Risk factors</i>	<i>Protective factors</i>
<ul style="list-style-type: none"> <li>• Traditional customs that give sons preference for inheritance</li> <li>• Limited access of girls to post secondary and vocational skills training due to occupational segregation</li> <li>• HIV/AIDS status</li> <li>• Lack of social protection/insurance in informal sector, reducing family's resilience during shocks like COVID-19, leading to negative coping mechanisms</li> <li>• Lower income of women leading to lack of bargaining power on how income is spent</li> <li>• A double burden of women and girls</li> </ul>	<ul style="list-style-type: none"> <li>• Resolution No. 28-NQ/TW which will guide social insurance reforms</li> <li>• Action Program for the implementation of the Resolution (Resolution 125/NQ-CP)</li> <li>• Equal inheritance rights under the law</li> </ul>

#### **4.1.6. Safety, dignity and well-being**

##### *Gender-based violence in the household*

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<sup>181</sup> Ibid.

<sup>182</sup> Ibid.

High rates of gender-based violence persist in Viet Nam, disproportionately affecting women and girls. Gender-based violence, rooted in deeply embedded patriarchal cultural values; social attitudes and unequal power relations, and continues to be used to deny women and girls' access to resources and opportunities such as income, education, vocational training and decent work. Approximately 62.2 per cent of married women experience at least one form of violence by their intimate partner<sup>183</sup>, and one in ten girls aged 15-19 years had already experienced physical and/or sexual violence from their husband or boyfriend.<sup>184</sup> Women with disabilities experienced higher level of intimate partner violence and childhood sexual abuse compared to women without disabilities.<sup>185</sup> It was recorded that between 2015 and 2019, 81 per cent of child abuse cases were committed against girls, and 19 per cent against boys<sup>186</sup>, suggesting a gendered nature of child abuse. Most often, there are structural causes, such as poverty, migration and unemployment that increase the risks of children experiencing violence by family members.

Migration can increase children's vulnerabilities to violence. Children migrants are also at higher risk of sexual exploitation, and children migrating with parents also experience sexual violence in the absence of caregivers while their parents work.<sup>187</sup> Children living on the streets, child domestic workers, and those working in the service sector are among the highest risk of child sexual abuse and exploitation<sup>188</sup>, which likely affects more girls than boys.

Sex ratio at birth imbalance has created an estimated one million missing girls aged between 0 and 18<sup>189</sup>. This in turn, increases other forms of GBV including the early/forced marriage for girls, trafficking in women and girls, sexual exploitation and forced prostitution<sup>190</sup>, taking away girls' right to education and access to decent employment, while upholding the notion of son preference. Child marriage, for instance, poses a significant barrier to girls, including early pregnancy, school dropout and social isolation; it affects 0.5 per cent of girls in southeast of Viet Nam, and 1.1 per cent of girls in Mekong River Delta.<sup>191</sup>

Women in abusive relationships have less access to resources, credit, markets and extension services, and their access tend to reduce over time, and they suffer from reduced ability to work, employment loss and decreased income<sup>192</sup>. While women

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<sup>183</sup> This finding is similar to the earlier national survey conducted (GSO 2010) that found 58 per cent of ever married women experiencing IPV in their lifetime. MOLISA, GSO and UNFPA, 2020

<sup>184</sup> MOLISA, GSO and UNFPA, 2020

<sup>185</sup> Ibid.

<sup>186</sup> Cases recorded by the Department of Police, the Ministry of Public Security in UN Women, 2021

<sup>187</sup> Work No Child's Business baseline survey, 2020

<sup>188</sup> UN Women, 2021

<sup>189</sup> MICS, 2015

<sup>190</sup> UN Women, 2021

<sup>191</sup> MICS, 2014

<sup>192</sup> UN Women, 2021

survivors of physical or sexual violence earned 30.8 per cent less than their counterparts<sup>193</sup>, they spent an average 9,426,500 VND in out-of-pocket expenses, such as healthcare and replacing damaged household items in the past 12 months.<sup>194</sup> This is equivalent to a quarter of women's average annual income.

Direct economic damage on household income as a result of domestic violence increases risks for child labour, whose biggest motivation is a family's financial challenges. Violence further takes away decision-making power from women and children, who, as survivors and witnesses of violence, accept and justify violence<sup>195</sup>, thus unable to negotiate for alternative solutions to child labour to solve family's financial barriers. Additionally, violence in the household is a key driver of child separation, which further drives child labour in many contexts. Lastly, although data sources vary, the incidence of divorce cases is gradually rising, with the GSO reporting an estimated 24,308 cases in 2016 (latest data) – an increase on the 2014 case number (19,960 divorces). Reports from the People's Court noted the settlement of 1.4 million divorce cases over the period 2008-18. The cultural pre-eminence of marriage means that divorced women risk stigma, and socio-economic hardship due to lower property ownership and customary inheritance practices, which favours sons. This can also significantly act as a risk factor for child labour.

#### School related gender-based violence

At schools, 60 per cent of students from secondary school to university experienced sexual harassment, which was most prevalent among students aged 11 to 15 years old.<sup>196</sup> A separate survey found 71 per cent of LGBTQI+ students having been physically and verbally abused<sup>197</sup>, many victims are boys who do not conform to traditional masculinities. Students who experienced school-related violence reported suffering from mental health issues<sup>198</sup>, including depression and suicidal thoughts, and many also performed poorly academically after the incident, some dropping out of school as a result.<sup>199</sup> Noting poor academic performance as the second biggest reason for school dropout and entering child labour<sup>200</sup>, school-related gender-based violence is likely a big contribution factor to discontinuation of schools that enter workforce.

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

Sexual harassment and other forms of sexual violence in public spaces are common particularly in urban areas. In HCMC, 89 per cent of women and girls have

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<sup>193</sup> UN Women, 2021

<sup>194</sup> MOLISA, GSO and UNFPA, 2020

<sup>195</sup> Ibid.

<sup>196</sup> Action Aid, 2020

<sup>197</sup> UNESCO, 2016

<sup>198</sup> Action Aid, 2020

<sup>199</sup> UNESCO, 2016

<sup>200</sup> Work No Child's Business baseline survey, 2020

experienced sexual harassment in the public spaces<sup>201</sup>, and 11.5 per cent of men admitted to sexually harassing women or girls in public spaces over the past 12 months.<sup>202</sup> Half of women and girls reported feeling unsafe in public spaces, particularly around public transportation.<sup>203</sup> Adolescent and young women, women and children living or working in public spaces, women and child migrants, women and girls with disabilities, LGBTQI+ population, and sex workers are particularly at risk of sexual violence in public spaces.<sup>204</sup>

Experiences of, or fear of sexual harassment and sexual violence in public spaces reduces women and girls' movement and their ability to participate in education including vocational and skill training, employment and public life.<sup>205</sup> This restricts not only career perspectives resulting from access to learning but also the type and nature of work they do. For example, working in industrial zones away from public transport or if the work finishes late at night, women and girls may look for other jobs including domestic work or family businesses.

### Sexual harassment at workplaces

Though there is limited data, available studies indicate that sexual harassment at workplaces is widespread and majority of the survivors are women.<sup>206</sup> Young women aged 18 to 30 in junior or lower status jobs and women with disabilities were at greater risk of sexual harassment and sexual violence at workplaces.<sup>207</sup> For domestic workers, the most frequent sexual harassment is seducing and flirting conversations<sup>208</sup>, and it is likely affecting girl domestic workers due to their intersectionality of age, sex, employment status and poverty. Over half of women in garment sector have experienced sexual harassment.<sup>209</sup>

Sexual harassment at workplaces force survivors to change jobs frequently to avoid harassment, limiting their career perspectives and some suffer from income loss and damaged family relationships as a result.<sup>210</sup> These combined together, may push their children to enter workforce to supplement the reduced family income. Migrant women, especially undocumented, often lack access to decent work and social protection, thus more likely to accept deplorable working conditions with exacerbated risks of GBV at the workplace.<sup>211</sup> Yet, migrant women are less likely to report GBV for fear of losing their jobs, partner or residency status.

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<sup>201</sup> Action Aid and CGFED, 2014

<sup>202</sup> UN Women and DOLISA, 2017

<sup>203</sup> Action Aid, 2017

<sup>204</sup> UN Women 2017, DoLISA HCMC and UN Women 2017 Scoping study on women and girls' safety in spaces in Ho Chi Minh City (unpublished) and UN Women, 2021

<sup>205</sup> DOLISA HCMC and UN Women 2017 Scoping study on women and girls' safety in spaces in Ho Chi Minh City (unpublished)

<sup>206</sup> UN Women, 2017

<sup>207</sup> MOLISA and ILO, 2013

<sup>208</sup> MOLISA and ILO, 2013

<sup>209</sup> CARE, 2019

<sup>210</sup> UN Women, 2021

<sup>211</sup> UN Women, 2021

### Trafficking

Trafficking in persons occurs both domestically and internationally in Viet Nam for the purpose of forced marriage, forced labour, sexual exploitation, and child adoption.<sup>212</sup> Although there's a scarce data, tracking in women and girls for the purpose of sexual exploitation is a growing concern in Viet Nam and there is an increase in numbers of identified girl victims.<sup>213</sup> Ninety (90) per cent of detected trafficked persons cases between 2012 and 2017 were women, 80 per cent of them reported being sexually exploited either in marriages or in commercial sex industry.<sup>214</sup>

Many women and girl survivors of trafficking face stigma and discrimination upon return due to their involvement in sex industry.<sup>215</sup> Rejection from families and communities, health consequences including trauma and unwanted pregnancies, and lack of legal documents, likely prevent many survivors to continue their education or enter formal employment. Corridors for the trafficking of women and girls, and Vietnamese nationals in general, have attracted law enforcement and media attention – especially those bound for China, Europe and the United Kingdom. However, data is limited. The majority of the 7,500 trafficking cases detected between 2012 and 2017 were overwhelmingly that of women (90%), and a high proportion of those had been trafficked to China, from ethnic minority communities.

### COVID-19 and its impact on GBV

During the COVID-19 pandemic, unemployment, poverty, fear and insecurity have increased around the world. They triggered an alarming escalation of violence against women and girls, particularly an increase in domestic violence, rape and child marriage. Although there is a limited data from Viet Nam, the numbers of women calling hotline doubled in the first period of the state lockdown, compared to the same period a year before.<sup>216</sup> High unemployment rate combined with travel restrictions obstruct safe migration pathways for many migrants across the world, some turning to people smugglers who promise jobs,<sup>217</sup> or accepting poor working conditions.

<i>Risk factors</i>	<i>Protective factors</i>
<ul style="list-style-type: none"><li>• Violence in the household (violence against children, IPV, GBV, harassment)</li><li>• Migration</li></ul>	<ul style="list-style-type: none"><li>• Legislation that establishes criminal penalties for domestic violence, legal penalties for authorizing or entering into child marriage, for trafficking, etc.<sup>218</sup></li></ul>

<sup>212</sup> Ibid.

<sup>213</sup> Ibid.

<sup>214</sup> According to a 2018 report by the Vietnamese National Committee on Crime Prevention and Control. UN Women, 2021

<sup>215</sup> UN Women, 2021

<sup>216</sup> CARE, 2019

<sup>217</sup> UN Women, 2021

<sup>218</sup> Equilo, 2022a and 2022b

<ul style="list-style-type: none"> <li>• Sex ratio and birth imbalance (leads to forced marriage, trafficking, sexual exploitation and forced prostitution)</li> <li>• Child marriage</li> <li>• Divorce</li> <li>• LGBTQI+ identify</li> <li>• School dropout related to GBV (includes boys who are subjected to GBV due to non-conformation to traditional masculinities and girls who experience sexual harassment)</li> <li>• COVID-19 pandemic</li> <li>• Social stigma attached to girls/women who return after being trafficked/community rejection</li> </ul>	
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#### 4.2 Findings from primary data in Dong Thap and HCMC

The primary data collection for this gender analysis was conducted in one district in Dong Thap and three districts of HCMC (Go Vap, District 3, and Cu Chi). The three districts have some common characteristics, such as a high number of children living in difficult circumstances, who are at high risk to drop out of school and to work early. Go Vap has a high number of labour migrants and a high rate of children in difficult circumstances. Cu Chi is an area specialising in agricultural and forestry cultivation and cattle breeding and many children are also involved in agriculture, animal husbandry, food processing, and handicraft production activities. The district in Dong Thap was selected due to its relatively high number of children in labour, specifically in agriculture and small-scale businesses. Dong Thap also faces the problem of labour migration with families and/or children migrating to industrial zones in search of employment.

Table 4: Summary of key findings

Summary of Key Findings from Primary Data Collection
<b>Outcome 1:</b> <i>Children are empowered and have improved access to (quality) education and youth employment within a supportive family and community environment</i>
<ul style="list-style-type: none"> <li>➤ Overall beliefs and practices mentioned during primary data collection indicate that there is no discrimination between access to education for girls and boys.</li> <li>➤ Gender norms strongly influence the type of jobs children are engaged in, for example, with girls often doing “lighter” work in the service sector or domestic work and boys doing technical or IT jobs or “heavier” work like construction and mechanics.</li> <li>➤ There have been improvements to gender equality in recent years; however, there remains discrimination in society and in communities in relation to the types of work for women and men and segregation of jobs in accordance to gender as well as wages for women and men, which further impacts on the professional development of both boys and girls.</li> <li>➤ Social factors often put pressure on women to engage in training that gives them access only to low-productivity and low-paid jobs.</li> <li>➤ Vocational training and skills development for young men and women can play an important role in the transition to work. A few of the key informants interviewed mentioned that the training</li> </ul>

that is available to young women and men in the project locations is still restricted to traditional “female” or “male” skills, which reinforce their traditional roles and responsibilities.

- Strong correlation between migration and child labour because often the key reason for migration is economic. A migrant family or child moves to cities to find jobs, but they face many difficulties such as housing, permanent registration, and stable income/employment, placing children at further risk of exploitation and abuse.
- Substance misuse, alcoholism, domestic violence, and violence against children in the household are all prevalent, according to respondents. All of these lead to the breakdown of family relationships and can result in divorce or family separation, as well as poor school performance and mental health and psychosocial needs.
- COVID-19 has increased unemployment, poverty, and may be a leading factor in families resorting to negative coping mechanisms like child labour. Key informants believe that girls have taken on additional domestic and care responsibilities due to COVID-19 and its impact. The groups of public officers also believed that trafficking and gender-based violence had increased as a result of COVID-19, but evidence is anecdotal.

**Outcome 2:** *Governments have enforced relevant child rights-based laws and have implemented policies on child labour, education, youth economic empowerment, and social security.*

- Viet Nam has developed comprehensive legal regulations on child labour to prevent child labour and on gender equality.
- Child labour remains predominantly in the informal sector and local authorities have not yet monitored it effectively and efficiently. Many employers and child workers are not aware of or do not understand the child labour regulations under the Labour Code.
- A lack of legislation is not the challenge, but rather the challenge is the lack of enforcement of the laws prohibiting child labour in the informal sector.
- Many programmes and policies have been developed to prevent and reduce child labour at the central and district levels. However, there are gaps in programmes or services to support children at risk of child labour (specifically, migrant children, children with disabilities, or children dropping out of school) to access education, healthcare insurance, and vocational training, and social allowances are insufficient to support vulnerable families.
- The elimination of child labour is under the jurisdiction of MOLISA, however, preventing it requires collaboration amongst multiple ministries, including MOLISA, Ministry of Education and Training (MOET), Ministry of Public Security (MPS), and Ministry of Information and Communication (MIC) and this inter-ministerial coordination needs to be strengthened.
- The lack of access to social protection represents a major driver of child labour. Most families, whose children work, rely on their wages, production or domestic work (including unpaid work) to make ends meet. Exposure to shocks (like COVID-19), resulting in deteriorated family income, can have a dramatic effect on household decisions.
- Role of businesses was highlighted because discrimination between men and women in Viet Nam has deep social roots, which cannot be removed simply by laws, policies or any one specific measure. Business and workers’ organisations must prevent the segregation of labour between females and males and integrating gender considerations into employment and social benefit schemes.
- Inadequate or absent social protection coverage can lead to gender-differentiated impacts on children, e.g. by disproportionately increasing girls’ domestic and caring roles.
- Social protection must be universal – elements of a comprehensive system that benefits children includes unemployment protection, old-age pensions, maternity/ parental leave benefits, sick leave and disability benefits. All stem the chances that families will resort to negative coping mechanisms, including child labour, in the face of shocks.
- Lack of national data and monitoring on gender-related factors leading to child labour.

#### 4.2.1. Laws, policies, regulations and institutional practices

The Government of Viet Nam has made significant achievements in the fight against both child labour and gender inequality, establishing strong legal frameworks that are aligned with international standards, and implementing a number of programmes and projects to counter child labour nationally and locally, as well as gender inequality in various aspects of life.

The nineteen (19) key informants who were interviewed at the district, provincial and national levels for the purpose of this gender analysis were posed several questions related to laws, policies, regulations and institutional practices on child labour and gender equality. **The majority of key informants highlighted that** Viet Nam has developed comprehensive legal regulations on child labour to prevent child labour. However, they noted that it is not a lack of legislation that remains a challenge, but rather the challenge is in the enforcement of the laws prohibiting child labour. Key informants explained that many employers particularly in the informal sector and child workers are not aware of or have not understood the regulations related to child labour under the Labour Code. It was explained that if the employers in the informal sector understand the laws clearly the rights and interests of children can be better respected and protected. Importantly, they highlighted that child labour remains predominantly in the informal sector and local authorities have not yet monitored it effectively and efficiently.

**Two of the participants highlighted that:** *“We cannot deny the fact that some children living with special circumstances such as poor households, orphans, abandon, children with disabilities, face difficulties in daily life, so they need to work for their living. Therefore, it is essential to promote monitoring and law enforcement for child protection from all forms of exploitation”* (Male respondent, Vietnam Association for Protection of Child's Rights, HCMC; and Female Respondent, Head of Child Protection Division, Department of Children, MOLISA)

**A few respondents** explained in detail some of the gaps in programmes or services to support children at risk of child labour (specifically, migrant children, children with disabilities, or children dropping out of school) to access education, healthcare insurance, and vocational training as follows:

*“There are some gaps between the current legal regulations and practice, for example, children living with parents who have a serious illness but are not defined as “seriously injured individual” as prescribed under Decree No.20/2021 or divorced parents, so they are not eligible for receiving social allowance as prescribed by the law. In addition, the social allowance level is quite low and depends on the policies of each province. Consequently, children may have to work to earn a living.”* (Female respondent, Head of Child Protection Division, Department of Children, MOLISA)



The prevention of child labour requires working across different sectors and ministries. At the central level, a third of key informants mentioned that while the elimination of child labour is under the jurisdiction of MOLISA, preventing it requires collaboration amongst multiple ministries, including MOLISA, Ministry of Education and Training (MOET), Ministry of Public Security (MPS), and Ministry of Information and Communication (MIC). Specifically, a key informant from MOLISA explained that this is because education plays a critical role in preventing child labour, whereas MPS promotes social securities, and MIC helps to change social and gender norms. MOLISA takes the leading role in implementing policies and programs to prevent child labour (female respondent, Head of Child Protection Division, Department of Children, MOLISA).

*“At the local level, schools and teachers play an important role in supporting children at risk of child labour. Local authorities and communities also need to support the reduction of poverty within households to prevent child labour.”* (Male respondent, Officer of Education Department, Go Vap District, HCMC)

When asked if there are existing programmes to prevent or respond to child labour and the extent to which programmes or policies address the gender needs related to child labour, on key informant mentioned that **Dong Thap** has introduced a “case management model” to support children at risk of child labour through providing a package of support for both parents and children. Specifically, children have support to access education and vocational training, and parents are supported to find employment or to run their own business to generate income of the families. The emphasis on this approach was to support not only the children, but also the parents. This corresponds with findings from the focus groups, which highlighted monetary poverty and the employment of parents as leading factors driving child labour irrespective of gender.

One of KIIs suggested following the experience of **An Giang** Province in carrying out a vocational training programme. This training programme has been carried out under the collaboration between vocational training institutions and the private sector (companies, restaurants, hotels, etc.) to provide on-the-job training to children of legal working age. It also supports children to find jobs after graduation. Therefore, the support package includes financial support, vocational training, and job placement, which is a great example to prevent child labour (Female respondent, Head of Child Protection Division, Department of Children, MOLISA).

This point highlights the role of businesses. Discrimination between men and women in Viet Nam has deep social roots, which cannot be removed simply by laws, policies or any one specific measure. In this process, the role of business and workers' organisations is critical. In addition, preventing child labour and the segregation of labour between females and males requires integrating child labour and gender considerations into the design and implementation of social benefit schemes along with other dimensions of marginality. Since the need to tackle child

labour cuts across the mandate of many ministries each Ministry should identify how their policies and programmes can be further developed in order to support efforts to eliminate child labour and its linkages to gender inequality. For instance, institutional, policy and legal frameworks could be strengthened to reduce poverty and vulnerability of girls and boys.

Further, the opportunity of the forthcoming revisions of the Gender Equality Law, the Law on Domestic Violence Prevention and Control, Land Law, Marriage and Family Law and the Law on Social Insurance can be utilised by the Government of Viet Nam and relevant stakeholders, such as UNICEF to address gender gaps and areas for reform. This includes increasing gender mainstreaming in laws, the introduction of measures and coordination mechanisms to combat all forms of gender-based violence and discrimination, including new online forums, the recognition and elimination of harmful gender practices, improvement in the collection of administrative data on violence against women, and the expansion of the definition of gender equality beyond binary forms and with attention to intersectionality.

Lastly, it is essential that social protection is universal. Accordingly, to focus group participants, key informants, and the literature review findings, most children who work do so because their families depend on their wages, production or domestic work (including unpaid, often by girls) to make ends meet. Household economic shocks and the loss of a parent or caregiver can increase the chance that a child will go to work. The COVID-19 pandemic has further exacerbated child poverty and has reinforced the imperative for labour market policies to accelerate transitions from the informal to the formal economy and ultimately to decent work. Universal child benefits could be positioned within and supported by broader social policies where cash and services improve children's well-being – in aspects related to education, health, nutrition, water and sanitation and protection from violence – all of which lead to sound human capital development. Also important are measures to address the dependency of household microenterprises, particularly small family farms and businesses, on child labour. An effective social protection scheme for children involves a combination of social insurance benefits. Elements of comprehensive systems that benefit children include unemployment protection, old-age pensions, maternity/ parental leave benefits, sick leave and disability benefits. All stem the chances that families will resort to negative coping mechanisms, including child labour, in the face of shocks.

#### **4.2.2. Social norms, beliefs and practices**

The majority of focus group participants in all groups agreed that education is very important for both girls and boys. They emphasised that nowadays every family has only 1 or 2 children, so they have equal opportunities to study irrespective of whether they are girls or boys. A group of female caregivers in HCMC also emphasised that if a girl has the ability to study and is achieving higher results in school than boys in the family, they will encourage the girls to pursue a higher

education (HCMC, Tan Thong Hoi, Female Parent Group). Similarly, the group of boys in Cu Chi district in HCMC agreed that girls should go study in post-secondary education because it is easier for boys to find jobs with higher pay than it is for girls. This is in line with the literature review findings, which indicate that there is a gap in wages between men and women, which tend to be higher for men. In general, overall beliefs and practices mentioned by participants indicate that there is no discrimination between access to education for girls and boys.

The public officer groups in both locations; however, agreed that gender norms strongly influence the type of jobs children are engaged in, for example, with girls often doing lighter work in the service sector and boys doing technical or IT jobs. For example, nobody thinks that a man should do a job as a kindergarten teacher, which is believed to be suitable only for women (Public Officer Group in Go Vap District).

The majority of participants highlighted that although gender equality has changed recently in HCMC and Dong Thap, there remains discrimination in society and in communities in relation to the types of work for women and men and segregation of jobs in accordance to gender as well as wages for women and men. Similarly, the majority of key informant respondents agreed that gender norms still have an impact on the professional development of both boys and girls. The explained that gender inequality remains a challenging issue in the labour market because many types of work are considered women's work, such as working in the garment factories whereas men often work for IT or construction companies. Interestingly, based on some of the responses, while key informants recognised the gender segregation as a gender norm, they appeared to still believe in the norm as reflected by the quotes. In addition, the percentage of women who hold decision-making positions in an organisation is lower than men, which reflects findings from the literature review. The majority of participants at both central and local levels agreed that men can also be discriminated against in their jobs.

*"If a man works like a teacher at kindergarten will be a very strange case, nobody thinks that man should be a teacher at kindergarten."* (Male respondent, Officer of Education Department, Go Vap District)

Notably, gender norms such as the belief that women should only do light work was evidenced by this respondent: *"As the director of a waste recycle company, I do not recruit female workers to work for the company because this type of work is very hard for women."* (Male respondent, Director of Waste Recycle Company, Dong Thap)

*"Girls are often advised to do light work because they are not as physically strong as boys. Girls should do care-related jobs that require meticulous attention to detail. On the contrary, boys should do hard work because they are stronger and also should do technical/IT work because they are considered smarter or more suitable than women"* (Female respondent, International Plan in Vietnam)

To address social and gender norms, almost all key informants mentioned that raising awareness to change attitudes and behaviour within the family and schools is important to promote gender equality, as well as by the mass media. For example, parents should allocate an equal amount of housework to both girls and boys, while teachers should provide career orientation without segregating certain types of roles. Girls should be encouraged to study subjects related to IT or technology.

#### 4.2.3. Roles, responsibilities and time use

In line with the findings from the literature review, focus group participants and key informants confirmed that both boys and girls have to support their families to do housework; however, girls often do the lighter work and spend more time on housework than boys, such as cooking and taking care of family members. Boys often help their fathers in farming work in Dong Thap, and in shipping, delivery or selling goods, repairing vehicles, and washing cars and bikes in HCMC. Boys are also more likely to obtain jobs in technology.

**The majority of KIIs** largely agreed with focus group participants, but explained that nowadays gender discrimination has changed significantly because families only have one or two children, and therefore they do not discriminate against girls. Despite explaining that gender discrimination has been reduced, key informants mentioned that girls and boys **still have different roles in their families** with girls often supporting their mothers to do housework and boys focusing on their studies to develop their careers.

*“Both boys and girls in urban areas have equal access to education, **however, it is different in rural areas**, especially the mountainous areas where boys often have played a more important role in the family as they have to earn money for their families. If a boy drops out of school, then he will go to find a job in another province whereas girls often tend to get married at an early age.”* (Female respondent, Child Fund Organisation)

*“Children have an important role in the family as they are considered as next generation or future of the family. Children also support maintaining a sustainable relationship between husband and wife. However, girls and boys have different roles in the family because parents often have more expectations of their boys, especially for the older generation. In addition, girls often do more housework or unpaid care work than boys in the family.”* (Female Respondent, Head of Child Protection Division, Department of Children, MOLISA)

The majority of participants of parents in HCMC focus groups said that if children do not go to school, they work. Girls often work in the service sector, such as in restaurants and coffee shops, karaoke shops, nail shops, or selling lottery tickets, whereas boys engage in heavier types of work, such as in construction or repairing vehicles. Female adult focus group respondents in HCMC underlined the risk of sexual harassment of girls working in these types of jobs in the city and raised concerns around safety.

In relation to the factors and characteristics of a child who is at risk of working or who is already engaged in child labour, the majority of focus group participants believed that girls are at higher risk of child labour; however, it was not clear why this may be the case, but it could be due to the fact that girls are also more likely to be involved in domestic work in addition to working in the service sector. The group of public officers in HCMC mentioned that more recently boys are becoming increasingly involved in child labour, perhaps due to the COVID-19 situation. They mentioned that employers in the informal sector are also increasingly exploiting the children. According to participants, there are more children working in HCMC because the economy is stronger so families migrate to HCMC in search of employment opportunities. There are also children who migrate independently to HCMC. Almost key informants agreed that migration is one of the factors that lead to child labour but they also said **that there is not much difference between girls and boys** in migrant families because they are both at risk to work to generate income for their families.

**One KII mentioned:** *“Child labour only happens informal sector, for example, children often work for the household’s business to produce traditional products. Adults often consider that children should work at an early age as a way of transferring important skills, and also support children to supplement household income to meet basic needs.”* (Female respondent, VCCI).

Almost all focus group participants agreed that girls and boys often work more during the dry season because there are more jobs available, such as an increase demand for working in restaurants since more people are going out for entertainment than in the rainy season (in HCMC), and for harvesting agricultural produce (in Dong Thap).

*“Children play important roles in the family. Children must be protected and cared for by adults in the family. The role of children in rural areas is different from urban areas. **Children living in rural areas** such as Dong Thap often have to do house works and farming at a very early age, but those works are not defined as “child labour” and not hard work for them.”* (Female respondent, Deputy Head of Gender and Child Protection Office, DOLISA, Dong Thap)

*“Gaps remain in the public sector, such as vocational training services are still not based on the market needs. Vocational training schools still offer the tailoring courses for female students or vehicle repair, electronic, or engineering courses for male students. Consequently, it is difficult for students to find jobs after graduation. On the contrary, unofficial support services have been carried out fragmentally due to the lack of coordination among individuals, consequently, some children can get a lot of support whereas others cannot get any support.”* (Female Respondent, Representative of Child Support Center, Thao Dan, HCMC)

While some progress has perhaps been achieved, it is apparent that gender roles and responsibilities between girls and boys remain segregated. There is access to

education for girls and boys and based on responses and the literature review findings, most families understand and support education for all their children irrespective of gender. However, since girls are less likely to pursue higher education and are overrepresented in the informal sector, it is clear that girls receive a variety of conflicting messages on their gender roles at the family, community and society levels, including from the media, and these can often be decisive in channelling girls into working at home or taking up some form of employment outside the home, such as domestic work or in the service or tourism sectors. Such decisions may well affect their future capacity to support themselves and other household members.

Vocational training and skills development for young men and women can play an important role in the transition to work. A few of the key informants interviewed mentioned that the training that is available to young women and men in the project locations is still restricted to traditional “female” or “male” skills, which reinforce their traditional roles and responsibilities: *“Gender norms still affect the vocational training programmes. Some training programmes only for boys such as repairing car/motorbike, construction, IT on the other hands, girl’s training programmes include cooking, nails, make-up, or tailoring. However, there are some changes recently such as boys can do some types of work that are considered only for women such as make-up or hairdressers.”* (Female respondent, Child Fund Organisation, Hanoi)

Young women who may have the opportunity to move beyond traditional skills and into newer or non-traditional occupations can become more “employable” and possibly earn a better living too. Social factors often put pressure on women to engage in training that gives them access only to low-productivity and low-paid jobs. Sometimes young women require encouragement and incentives to sign up for courses which they may have been told are not appropriate for them. Moreover, because some young women may already be mothers or have caring responsibilities outside work, logistical arrangements must be carefully planned. Lastly, training in entrepreneurship can further support young women to run small businesses.

#### **4.2.4. Patterns of decision-making**

Key informants were asked whether women contribute to the household income, whether this impacts their decision-making power in the household, and if they were aware of instances when an increase in women’s earnings has resulted in intimate partner violence because the power dynamics within the family have shifted. **The majority of participants agreed that** when women contribute to the household income they have greater decision-making authority in the household, predominantly on selecting the school for the children and in purchasing household assets. They also agreed; however, that when women are more independent, it can lead to domestic violence because husbands feel that they have

lost their power in the family. While focus group participants were not asked these questions directly, almost all groups highlighted the issue of domestic violence. Therefore, it seems to take place within many Vietnamese households.

*“Economic power is the important factor of equality. When women make a significant economic contribution, their voices are not limited”* (Female respondent, Vietnam Women Union, Hanoi)

*“When women have stable jobs and play an active and independent role in families, their work supports generating a family’s income, hence, they can make decisions not only for their own issues but also make the decisions for their family. Consequently, it also contributes to reducing violence cases. However, contradictory, it is also a reason lead to violence if the husband feels that he lost his power in the family, then he will use violence as the instrument to maintain his power.”* (Female respondent, International Plan in Vietnam)

*“When women contribute to household income, it is also a reason for domestic violence because a husband has been considered as a breadwinner in the family, then if his wife can earn more than him, then he may feel he is losing his power in the family, consequently he uses violence to gain his power in the family.”* (KII, Child Protection Officer in HCMC)

*“The role of women at the older generation (over 40 years old) has not changed much in the family, however for the younger generation, those who were born from the 1990s has changed rapidly, they live more independent and are not reluctant of divorce, consequently, the divorce rate is higher at younger generation.”* (KIIs, representative of Thao Dan Child Support Center, HCMC)

A few of the KIIs **did not agree that an increase in earning on behalf of women can lead to domestic violence** as they believe that when women can contribute to the family income, they will have the skills, and knowledge, and participate equally in decision-making in their family. In some cases, **husbands may become victims of domestic violence** in these situations.

*“Women can contribute to their home income which means that they have the knowledge and skills to manage their families better.”* (Male respondent, Vietnam Association for Protection of Child's Rights, HCMC)

#### **4.2.5. Access to and control over resources**

The baseline for the WNCB programme found that of the households surveyed, nearly half were receiving some kind of support from local government agencies or local organisations (for instance, food, health insurance, school fee reduction, etc.). Key informants at **both the central level and local levels** also re-emphasised that authorities have developed many policies and have carried out many programmes to support children and their families.

For example, in both HCMC and Dong Thap many programmes have been carried out in accordance with the central government's policies related to exemption of tuition fees; vocational training programmes; and free healthcare insurance for children under 6 years old. Significantly, HCMC also has many programmes to support children in difficult circumstances, which are carried out by individuals or CSOs such as Thao Dan Children Support Center that has provided education and professional training for children (Female respondent, Representative of Thao Dan Child Support Center, HCMC).

In Dong Thap, the Women's Union has carried out the economic empowerment models (micro-loans and capacity building) for women who are living in border areas or in poor households (Female respondent, Women Union in Dong Thap); and provided support to working children, such as at the Thien Duc school, which has offered free education and meals (lunchtime).

**During COVID-19, both central and local governments** provided both financial support and food for people who lived in lockdown zones. **A majority of key informants highlighted** that there are **some gaps** remaining in the provision of support services for migrant children and children with disabilities. For example, they explained that migrant children cannot access education due to a lack of birth certificates or household registration, while children with disabilities cannot access inclusive education, especially those children living in rural or mountainous areas.

*"Migrant children also face difficulties in accessing some of the public services, such as healthcare insurance or free vocational training programmes if they are not registered as permanent residents (KT3) where they live. If there are no public schools to support migrant children who studying at voluntary training centres to apply for public health insurance, it is very difficult for them to buy insurance by themselves."* (Male respondent, CSWC in HCMC)

*"Migration cannot be prevented if the local authorities do not create more stable jobs for parents, especially the monetary poverty households. Significantly, people living in a rural area like Dong Thap often move together to other provinces based on the suggestion of their relatives or neighbours because they cannot have stable jobs in Dong Thap."* (Female respondent, Deputy Head of Women Union in Dong Thap).

The lack of access to social protection represents a major driver of child labour. Most families, whose children work, rely on their wages, production or domestic work (including unpaid work) to make ends meet. Exposure to shocks, resulting in deteriorated family income, can have a dramatic effect on household decisions. For instance, economic shocks (such as an adult member of the family losing his/her employment and health-related shocks like a serious illness or an occupational injury) and agriculture-related shocks (such as drought, flood and crop failure) can significantly reduce household incomes and cause parents to send children to work to contribute to the family income. Inadequate or absent social protection coverage



can lead to gender-differentiated impacts on children, e.g. by disproportionately increasing girls' domestic and caring roles (Browne, 2016).<sup>219</sup>

*It is essential to develop an essential support package for not only children at risk of child labour but also parents because if the parents face financial difficulties or unemployment then parents will ask their children to work to generate income for their families as they often think that it is very difficult to find jobs after graduation.”* (Female respondent, Representative of Child Support Centre Thao Dan, HCMC).

#### **4.2.6. Safety, dignity and well-being**

In the focus group discussions, the key characteristics and factors of a child who is described as doing well included having consistent, responsive caregiving from parents or primary caregivers, the opportunity to go to school, have an education and access to learning opportunities such as vocational skills training, and living in a happy and protective environment. All participants in all groups mentioned these factors. Some groups of children also emphasised the importance of friendships and having access to recreational activities.

The majority of female caregivers in HCMC also mentioned receiving sexual education, having life skills, and having access to psychological counselling are key protective factors whereas almost all male caregivers in HCMC indicated that doing exercises and playing sports is essential for children. These factors were not mentioned by adult respondents in Dong Thap who instead emphasised the importance of education, supportive teachers, and access to healthcare services.

All groups of public officers in both Dong Thap and HCMC highlighted that children are protected and well when they have access to physical, mental and psychological support services to support them when they are feeling stressed or depressed, which can lead to leaving the home or dropping out of school and becoming involved in child labour. In HCMC the group of participants also mentioned the importance of having access to career orientation and preparation, and having support from agencies and organisations in relation to job training and placements for children of legal working age as well as parents.

In response to questions around what are some things happening in the community, at school, at home that makes boys and girls feel sad, scared, or unhappy, the majority of participants in all groups highlighted factors that indicate an unhappy family living environment, such as having divorced parents, domestic violence in the household, substance misuse or alcoholism of caregivers, and conflict between family members, as well as a challenging environment at school including the presence of school violence and bullying by other students, not having friends, and teachers who put pressure on students. Most of the groups of

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<sup>219</sup> Browne, 2016

children in both locations also mentioned the issue of discrimination in the household in which sons are preferred, which leads to girls feeling unhappy in the household. They also mentioned discrimination by teachers in school who favour some children over others. When children do not feel happy in the household, both child and adult respondents explained that the children want to leave to live independently; however, it was not clear whether this is predominantly boys or girls or both. At school, when boys are not happy it increases the risk of drop out.

There were no distinctions between the groups of children (such as migrant families, children with disabilities, girls or boys) or between rural and urban areas. In line with the literature review findings, all groups mentioned monetary poverty as a key risk factor for child labour, as well as the unemployment or employment loss of adult caregivers. Groups of children mentioned wanting to help support their families who were struggling financially by working. The group of public officers in HCMC indicated that discrimination in society and the community (stigma and economic discrimination) and lack of control over information and content from the Internet (i.e. harmful content) are also the risk factors for children doing well and becoming involved in child labour.

The majority of groups agreed that COVID-19 has exacerbated some of the risk factors, particularly levels of unemployment of adults, and mentioned that social distancing created additional stress on individuals. The children involved in vocational skills training explained that it was difficult to continue their training online because they needed to practice in person in order to learn. In general, consistent with findings from the literature review, participants agreed that girls have taken on additional domestic and care responsibilities due to COVID-19 and its impact. The groups of public officers also believed that trafficking and gender-based violence had increased as a result of COVID-19. Similarly, approximately half of the key informants mentioned that they have heard about children who may be involved in the worst forms of child labour, but they have not yet witnessed first hand such cases, while the other half said they did not have any information about these worst forms of child labour. Two **KIIs explained in detail** cases of children involved in the worst forms, such as drug smuggling or sex workers as they heard from the public media (television programs, news):

*“One cannot deny the fact that HCMC is the biggest city with advanced economic development, therefore many boys and girls are exploited for doing illegal business.”* (Male respondent, Vietnam Association for Protection of Child's Rights, HCMC)

*“I have never witnessed the case of a child in the worst form of child labour but I watched a TV programme that shows the case of children involved in drug smuggling.”* (Female respondent, Deputy Head of Gender Equality Department, MOLISA”)

**Related to GBV, the majority of key informants said that** GBV has **negative impacts on both girls and boys**. However, it should be noted that they differentiated between the impact of witnessing violence, such as domestic violence, which they claimed leads to emotional or psychosocial impacts, from being the recipient of violence. They explained that witnessing violence does not necessarily lead to child labour, but being the recipient of violence does because children will leave their homes to move to other places and need to earn an income to support themselves. This finding differs from the risk factors mentioned by focus group participants, which highlight domestic violence as a key driver of child labour. **Significantly, a KII respondent from a CSO explained in detail the linkage between GBV and child labour:** *“Almost women are victims of violence, therefore, mothers often will make decisions to leave their home with their children (going to other places/provinces as a migrant single parent, consequently their children must work to support their mothers to earn for living.”* (Female Respondent, a Program Officer, Child Fund Organisation, Ha Noi)

**Similar to the findings of the literature review, the majority of key informants agreed** that there is a strong correlation between migration and child labour. The key reason for migration is economic. A migrant family often moves to cities to find jobs, but they face many difficulties such as housing, permanent registration, and stable income/employment. Consequently, they have to move around and their children cannot access education and have to work to support their families.

*“Migrant children also face many barriers due to the lack of professional skills, education, and access to information. Similarly, children living in special circumstances also face many difficulties in accessing higher education and professional training. Consequently, they often work as unskilled labour with lower income. In addition to that, the quality of voluntary education centres is not capable to teach migrant children/children living with special circumstances to pass the entrance examination to go higher education.”* (KII, Male respondent, Representative of the CSWC Centre, HCMC)

*“Migrant children are at high risk of child labour because their parents often face financial difficulties which is the key reason for migration. Significantly, migrant children cannot access public services such as healthcare and education because they often lack certificates (birth certificate) or household registration, especially during the COVID-19 pandemic”.* (Female respondent, Head Child Protection Division, Department of Children, MOLISA)

**However, one key informant highlighted** that *“there are some exceptional cases of migrant families moving to big cities because if they can apply for household registration, and find stable jobs to develop their businesses, then their children to access better education.”* (Male respondent, Vietnam Association for Protection of Child's Rights, HCMC)

The baseline for the WNCB programme found that nearly 15 percent of households surveyed had substance use, including alcoholism, of one adult caregiver, indicating that this is a factor pushing children to work. This was also a key factor identified by focus group participants. Approximately half of the KIIs agreed that there is a stigma against parents and children who are living in households with family members who misuse substances or alcohol. One KII gave an example to indicate the stigma against the family that the father is alcoholically addicted and nobody wants to have any contact with him and his children to avoid any troubles – it creates isolation from the community (Female Respondent, Deputy Head of Gender Equality Department, MOLISA). **However, none of them linked this stigma as a factor leading to child labour.**

One issue that key informants agreed has had an impact on child labour and gender inequality is COVID-19. **The majority of participants mentioned that COVID-19 may lead to child labour because it has had a serious impact on employment and increased the poverty households, significantly impacting migrant families and those families most vulnerable.**

*“Many children living in vulnerable circumstances have dropped out of school in HCM City. It was around 20% to 30% of children dropped out of “voluntary teaching class” because their family went back to their hometown or due to the jobless situation of their parents. Hence, it also leads to child labour.”* (Male respondent, CSWC, HCMC)

*“COVID-19 pandemic has caused many problems such as children living in poor households cannot access the internet for study. However, post-COVID there are many issues such as unemployment; families do not have enough money for children to go to school. Parents have to spend more time working as well as children also need to work to support their parents. Some children become orphans and they have to stay in social protection centres. However, a child who has a mother or father who passed away is encouraged to stay with a relative but also faces difficulties because their relatives also have to raise their own children or live with a grandmother/grandfather who does not have a stable income.”* (Female respondent, Deputy Head of Gender Equality Department, MOLISA)

*“Children living with divorced parents, single mothers, or single fathers are at risk of child labour. The risk of child labour is possible higher during the COVID-19, among the 213 orphans due to COVID-19, some of them dropped out of school, therefore local authorities recommended those children participate in vocational training. However, there was a case of dropping out of school in a household because the mother has 5 children and her mother cannot afford for all of them to study, consequently, the eldest girl must work to support her mother.”* (Female Respondent, Deputy Head of Gender Equality and Child Protection Office, DOLISA Dong Thap)

Relatedly and similar to responses from focus group participants, **the majority of KIIs indicated** that financial difficulty or monetary poverty in households is the key factor of child labour. Some of the KIIs suggested the solution is to prevent children from starting work early (i.e. between 5-12 years old) it is essential to develop a full package to support parents in gaining decent employment. In addition, local authorities should raise public awareness about child labour to employers to ensure that they will protect child's rights as well as promote effective enforcement of regulations on child labour through monitoring and supervising mechanisms at local levels.

*“If we only support a child to access to education it cannot work well because their parents face financial difficulties, and they will force their children to earn a living. In addition, there is a fact that parents think that it is also very challenging for children to find jobs after graduation or even the salary is very low in comparison with the current job (without the education). Hence children need to work at a very early age, such as selling lottery on street. Therefore, the government should develop the full package to support children at risk of child labour as well as their families together with imposing serious punishment/penalties on parents who force their children to work at an early age.”* (Female respondent, Representative of Thao Dan Children Support Center, HCMC)

Table 5: Overview of Key Risk Factors across the Socio-ecological model

Risk factors causing/driving child labour <sup>220</sup>				
Where the risk factors exist along the socio-ecological model	Individual level	Family level	Community level	Society level
“Unhappy family”; Conflict in the family (e.g., between parents or between parents and children), including violence against children/abuse and domestic violence	X	X		
Being an orphan/separated from family or living with extended family (such as elderly caregivers or aunts/uncles)	X	X		
Divorced parents/single parent household		X		
Unemployment of adult caregivers		X	X	X
Living with drug user/alcoholic family member (and resulting stigma in community)		X	X	

<sup>220</sup> Note that many of the factors identified are connected and correlated. For instance, pressure to do well at school or bullying at school and social isolation are correlated to low self-confidence and negative thinking, which further drives poor school performance, leading to school dropout. Lack of opportunities to play or for recreation at home or in the community can drive engagement in negative behaviours (such as drinking alcohol/doing drugs. Unemployment can lead to substance misuse/alcoholism, which is connected to violence in the household. Risk factors leading to child labour are therefore often accumulative.

Monetary poverty/low-income household/unmet basic needs (e.g. lack of nutritious food)		X	X	X
School violence/bullying by other students or being isolated at school (lacking relationships with peers)			X	
Pressure to do well at school by teachers/parents		X	X	
Low self-confidence/self-esteem, self-deprecating, negative thinking	X			
Lack of opportunities for recreation/to play		X	X	
Friends/peers that have a bad influence/ask “bad things” (such as to quit studying)	X	X		
Discrimination (preference for sons and young girls leading to other children feeling unhappy in household); discrimination in school by teachers who favor some children over others		X	X	X
Having a disability	X			

Table 6: Overview of Key Protective Factors across the Socio-ecological model

Protective factors mitigating child labour				
Where the protective factors exist along the socio-ecological model	Individual level	Family level	Community level	Society level
Being protected by parents, having a “happy” family and living environment; being loved and taken care of by family members; having attention from parents	X	X		
Being able to live with parents		X		
Having an education			X	
Being protected at school/no school violence/bullying			X	
A supportive and protective environment at school (e.g., not putting pressure on students academically)/teachers that protect and take care of students			X	
Friendships with peers			X	
Entertainment/recreational opportunities		X	X	X

Good life skills/emotional regulation skills (e.g., confidence, stress management, open mindedness)	X			
Being protected by family/community members		X	X	
Having a supportive community and community services/activities (reading books, music/drawing lessons, tutoring for children, etc.)			X	X
Having agency and being respected by adults (e.g., opinions)	X	X	X	X
Positive thinking/optimism/hope	X			
Having job placement services; being able to access vocational training			X	X
Social protection policies, such as student loans and loans/financial support for parents			X	X

Tables 5 and 6 highlight the key risk and protective factors that exist at each level of the socio-ecological model that cause, drive and define child labour in the WNCB project locations. The risk and protective were largely the same across all respondents in focus group discussions and key informant interviews regardless of sex, age or location. The tables in the Annex provide further detail of the specific responses mentioned by each focus group. While the issue of “son preference” was mentioned by the majority of focus groups, the only focus groups that mentioned gender inequality and its connection to child labour were the mothers, fathers, and officer groups in Dong Thap.

However, when the responses from focus group participants and key informants are triangulated alongside the literature review findings, it is clear that the intersectionality of gender strongly influences, drives, and defines child labour in the WNCB project locations in Viet Nam both with regards to causing children to become engaged in child labour, but also by defining the types of labour they are engaged in. As evidenced by the findings of this gender analysis, risk factors often accumulate to drive child labour. There is also often correlation among the risk or protective factors that drive gender inequalities (such as gender norms, traditional roles and responsibilities, lack of social protection, and poverty) and those that drive or lead to child labour more broadly (such as poverty and lack of decent employment amongst adult family members), and specifically the types of roles girls and boys are involved in. This shows that the existence of one factor often increases the chances of experiencing another (for instance, in Viet Nam traditional beliefs related to gender roles and responsibilities lead to segregation of employment with females more likely to be in the informal sector where they have less social protection, which can further drive migration or a cycle of poverty).

Similarly, the clustering of protective factors may occur either because protection in one area leverages protection in others (for example, the decent employment of adult caregivers drives greater household income that is not as strained by economic shocks, greater shared division of household tasks, and promotion of post-secondary education of girls).

A multi-level approach in accordance with the socio-ecological model will aid in organising risk and protective factors in a manner that the WNCB programme and other initiatives can seek to target at each level. It will also provide a better understanding of how factors at all levels interact, such as how communities and societies support families. Such an approach will also make sure that programmatic efforts are focused on the appropriate levels.<sup>221</sup>

### 4.3. Recommendations

Based on the analysis of the findings of the literature review as well as the primary data from key informant interviews and focus group discussions, and in response to the second Research Question, this section highlights what the WNCB programme can do to better address the risk factors of child labour in the informal sector and to promote the protective factors for boys and girls, as well as the implications for gender-responsive legislation on child labour and broader interventions for child labour prevention and elimination.

In line with the WNCB programme’s theory of change outcomes, the tables are separated to highlight **programme-level** recommendations that will lead to the achievement of *Outcome 1: Children are empowered and have improved access to (quality) education and youth employment within a supportive family and community environment*; and **system-level** recommendations that will result in the achievement of *Outcome 2: Governments have enforced relevant child-rights based laws and have implemented policies on child labour, education, youth economic empowerment and social security*. These are further separated by the gender domain.

#### 4.3.1 Programme Level recommendations

Programme Level recommendations		
<b>Programme-level recommendations: WNCB team and local community partners (CSOs, vocational skills training centers, local schools)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
<b>Promote protective family and community environments.</b>		
<b>Safety, dignity and well-being</b>		

<sup>221</sup> Franchino-Olsen, H., 2019



<b>Programme Level recommendations</b>		
<b>Programme-level recommendations: WNCB team and local community partners (CSOs, vocational skills training centers, local schools)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
<ul style="list-style-type: none"> <li>Update the service mapping in each project location and strengthen the referral system, specifically to include services to support adults with substance misuse, alcoholism, or other addictions, and to mental health and psychosocial support services.</li> <li>Train local partners on recognising signs of exploitation and abuse for children and women, and safe referral procedures for survivors of child abuse and intimate partner violence.</li> <li>Raise awareness on support services to ensure that children and adults have access to information on which services exist in their communities and where they can seek support.</li> <li>Facilitate a mapping of community centers and local organisations that offer recreational or play activities for children of all ages, including activities that parents/primary caregivers and children and youth can engage in together to foster their relationships. Refer project beneficiaries to these activities.</li> </ul>	<ul style="list-style-type: none"> <li>Substance misuse, alcoholism, and other addictions such as gambling</li> <li>Domestic violence, violence against children in the households</li> <li>Violence, abuse and exploitation of children in families and communities</li> <li>Lack of access to safe recreational or play activities for children and youth; lack of opportunities to build relationships with children and caregivers outside of the home</li> </ul>	<ul style="list-style-type: none"> <li>Strengthened family living environment; improved relationships with caregivers; prevention of violence against children and domestic violence</li> <li>Strengthened family living environment; prevention of violence against children and domestic violence</li> <li>Children and women are protected from harm and access quality services as needed</li> <li>Strengthened relationships between children and caregivers; opportunities for children to build life skills; opportunities for form relationships with peers and team building skills in safe environment through recreation; strengthened community support and protective community environment</li> </ul>
<b>Access to and control over resources</b>		
<ul style="list-style-type: none"> <li>Support vulnerable families to access nutritious foods in both urban and rural areas through referral to social protection and community programmes run by local partners, especially for households who cannot afford to buy nutritious food due to loss of employment and/or livelihoods.</li> </ul>	<ul style="list-style-type: none"> <li>Unmet basic needs (lack of access to nutritious food)</li> </ul>	<ul style="list-style-type: none"> <li>Increased food security for vulnerable families</li> </ul>
<b>Promote children and youth's agency and participation.</b>		
<b>Patterns of decision-making</b>		

<b>Programme Level recommendations</b>		
<b>Programme-level recommendations: WNCB team and local community partners (CSOs, vocational skills training centers, local schools)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
<ul style="list-style-type: none"> <li>Deliver awareness-raising messages that seek to promote children's agency and participation in decision-making processes within the household.</li> </ul>	<ul style="list-style-type: none"> <li>Family separation due to breakdown of family relationships; Low self confidence/self-esteem</li> </ul>	<ul style="list-style-type: none"> <li>Girls/boys gain sense of empowerment as contributors to household decisions; gain self-confidence/self-esteem</li> </ul>
<b>Roles, responsibilities and time use</b>		
<ul style="list-style-type: none"> <li>Establish systematic and innovative mechanisms and an enabling environment for child and youth participation in the community, schools, and at home through children's networks, student-led social clubs and peer-to-peer support groups in all decision-making processes.</li> </ul>	<ul style="list-style-type: none"> <li>Harmful behaviours (smoking, drinking, gambling)</li> </ul>	<ul style="list-style-type: none"> <li>Strengthen peer relationships; opportunities to build life skills; opportunities to develop the capacity for problem solving, learning and adaptation</li> </ul>
<b>Access to and control over resources</b>		
<ul style="list-style-type: none"> <li>Provide resources and IT-based innovative platforms for youth empowerment (with a focus on female youth) in an inclusive and independent environment to enable creativity and diverse views.</li> </ul>	<ul style="list-style-type: none"> <li>Segregation of gender roles when girls do not have opportunities to build IT skills or other skills typically identified as 'male'</li> </ul>	<ul style="list-style-type: none"> <li>Increased female youth participation in and access to types of decent work involving IT and innovation; foster life skills and creativity in youth</li> </ul>
<b>Improve access to formal and informal education and promote child-friendly teaching methods and safe learning environments for girls and boys.</b>		
<b>Safety, dignity and well-being</b>		
<ul style="list-style-type: none"> <li>Train teachers and education staff in the project's partner schools on identifying children who are working in child labour or who may be at-risk of child labour, including on recognising signs of exploitation and abuse, and on how to report numbers of school dropouts to child protection/WNCB staff.</li> <li>Coordinate with education management staff in local school district to identify vulnerable families and to provide comprehensive support packages to them that includes direct supports to children, such as materials, extra-curriculum tutoring, career counselling, and psychological support (if necessary).</li> </ul>	<ul style="list-style-type: none"> <li>School dropout; child abuse and exploitation</li> <li>Lack of access to quality educational opportunities</li> </ul>	<ul style="list-style-type: none"> <li>Strengthened protective environment in schools leading to prevention of school dropout for children at risk</li> <li>Strengthened family and school environments for children leading to prevention of school dropout; improved access to formal education through support packages</li> </ul>

<b>Programme Level recommendations</b>		
<b>Programme-level recommendations: WNCB team and local community partners (CSOs, vocational skills training centers, local schools)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
<b><i>Social norms, beliefs and practices</i></b>		
<ul style="list-style-type: none"> <li>Promote, inform, and sensitize parents, community members, and community leaders through awareness campaigns on the importance of girls' engagement in and pursuit of higher education and/or vocational skills/entrepreneurial training, and the benefits of female inclusion in these areas. Consult with girls and young women to develop the key awareness messages. To support gender norms change in relation to gender stereotypes and cultural barriers, awareness campaigns should be facilitated at the community level as well as through cooperation with mass media (such as newspapers, television, voice broadcasting, and the internet) to reach a higher number of people in the wider society.</li> </ul>	<ul style="list-style-type: none"> <li>-School dropout; social and gender norms related to roles and responsibilities of girls and boys</li> <li>-Social and gender norms that lead to the lack of pursuit of higher education amongst girls and segregation in educational fields of study in both formal and informal education, including prohibiting girls/women to take up positions of leadership</li> </ul>	<ul style="list-style-type: none"> <li>- Access to quality formal education for children at-risk; opportunities for girls to continue to post-secondary</li> <li>- Improved opportunities for girls to access higher education and vocational skills/entrepreneurial training traditionally dominated by boys</li> </ul>
<b>Adolescents and youth (both girls and boys) have improved financial literacy, life skills, and vocational and entrepreneurial skills for transition to decent work with a focus on eradicating gender segregation in employment.</b>		
<b><i>Roles, responsibilities and time use</i></b>		
<ul style="list-style-type: none"> <li>Facilitate a mapping of businesses and companies that promote female employment opportunities and leadership roles, especially those in sectors typically identified as male in the project locations. Actively engage with businesses and companies to facilitate job placements or apprenticeships for female youth and adolescents.</li> <li>Coordinate with school management staff and the Ministry of Education to increase female youth and adolescents' leadership roles by promoting their higher education and careers in the sciences, technology, engineering, and mathematics through a range of methods, including classroom visits from women working in these sectors, field trips to career sites, and on-the-job shadowing.</li> <li>Provide opportunities for male youth and adolescents to learn about careers typically identified as for females (such as teaching</li> </ul>	<p>The following risk factors pertain to all of the recommendations in this section:</p> <ul style="list-style-type: none"> <li>- Gender norms and stereotypes, influencing fields of study, vocational skills training, and streaming into a narrow range of occupations leading to segregation of types of labour</li> <li>- Informal, low skilled nature of women's work, which is unprotected and low paid</li> </ul>	<p>The following protective factors pertain to all recommendations in this section:</p> <ul style="list-style-type: none"> <li>- Improved access and increased opportunities for girls/boys to pursue different fields of study</li> <li>- Improved opportunities for girls/women to access decent work</li> <li>- Inclusive work environments for female employees that promote female leadership</li> </ul>

<b>Programme Level recommendations</b>		
<b>Programme-level recommendations: WNCB team and local community partners (CSOs, vocational skills training centers, local schools)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
<p>elementary school) through a range of methods including classroom visits from men working in these sectors, field trips to career sites, and on-the-job shadowing.</p> <ul style="list-style-type: none"> <li>• Make sure that female youth and adolescents are given equal opportunities to training and mentorship programmes offered by the WNCB project.</li> <li>• Provide apprenticeships and opportunities for entrepreneurial training for female youth and adolescents through local WNCB partners to support them in acquiring the skills necessary for employment in decent work or to manage their own small businesses by firstly conducting a mapping of apprenticeships/entrepreneurial training opportunities in project locations and examine the social factors that act against girls in specific trades and identify key steps to overcome barriers to their participation.</li> </ul>	<ul style="list-style-type: none"> <li>- Bias against women in leadership</li> <li>- Traditional beliefs and gender norms on appropriate responsibilities of girls, boys, women and men and roles in the household</li> </ul>	<ul style="list-style-type: none"> <li>- Work environments that are inclusive and safe</li> </ul>
<b>Social norms, beliefs and practices</b>		
<ul style="list-style-type: none"> <li>• Tackle gender stereotypes in vocational skills training with WNCB project partners. Stereotyping can be simply a matter of the language used in the description of training courses, but it may also stem from gender bias within the training institution/vocational skills center itself. Review: 1) the vocational skills trainings that are offered by the WNCB project's partners and identify the types of courses offered, and 2) male to female ratio of students to ensure that the project is not unintentionally contributing to the segregation of training opportunities for female and male youth and adolescents.</li> </ul>		
<b>Parents and primary caregivers receive support to develop or strengthen alternative livelihoods with a specific focus on women, including female-headed households, single parent households, or households with elderly caregivers.</b>		
<b>Access to and control over resources and roles and responsibilities</b>		
<ul style="list-style-type: none"> <li>• Identify and support vulnerable households and adult family members' access to decent work through referrals to local partners, such as the Women's Union, Youth Union, or Farmers' Associations or local vocational training centres and job placement centres to facilitate the</li> </ul>	<ul style="list-style-type: none"> <li>- Monetary poverty; unemployment of adult caregivers; lack of access to decent employment; lack of employment benefits, social</li> </ul>	<ul style="list-style-type: none"> <li>- Improved opportunities for adult caregivers to access decent work, including access to employment benefits and social securities;</li> </ul>

<b>Programme Level recommendations</b>		
<b>Programme-level recommendations: WNCB team and local community partners (CSOs, vocational skills training centers, local schools)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
<p>placement of adult caregivers in decent employment.</p> <ul style="list-style-type: none"> <li>• Provide training for female caregivers on financial literacy, resume writing, negotiation skills, and social securities and employment benefits to prepare them for applying to jobs or entering the workforce either directly or through referrals to local courses.</li> <li>• Collaborate with local business and worker's organisations in WNCB project locations to raise awareness on gender-based discrimination practices, such as advertising gender preference in job postings for specific types of work/roles, to reduce gender segregation in the workforce.</li> <li>• Coordinate with credit loan associations in project locations and other relevant stakeholders to improve loan management (disbursement and recovery, monitoring and reporting the use of the loans) for project beneficiaries, as well as business planning and managements with child and gender inclusion, problem-solving in the event that the borrowers cannot repay the loans.</li> <li>• Support sustainable livelihoods for adults in low-income families whose jobs were impacted by COVID-19 by providing or referrals to inclusive and affordable microcredit for production recovery and small business development and operation in short- and medium-terms with a focus on women and female-headed households.</li> </ul>	<p>protection/insurance in the informal sector</p> <ul style="list-style-type: none"> <li>- Gender norms and stereotypes, influencing fields of study leading to segregation of types of labour and lack of decent work for women</li> <li>- Segregation of types of labour as a result of gender discrimination in the workforce</li> <li>- Monetary poverty; debt; lack of access to loan; lack of financial literacy in loan management leading to cycle of poverty</li> <li>- COVID-19 pandemic which has led to increased unemployment and poverty</li> </ul>	<p>strengthened ability of adult caregivers to provide for the needs and protection of their children</p> <ul style="list-style-type: none"> <li>- Improved opportunities for girls/women to access decent work</li> <li>- Increased employment opportunities for adolescent girls/women due to decreased gender segregation in types of roles for women/men</li> <li>- Improved ability of adult caregivers to manage finances/increased financial literacy; access to accredited loan providers</li> <li>- Employment of adult caregivers; access to microcredit to support in reducing the risk of shocks</li> </ul>

#### 4.3.2 System-level recommendations

<b>System-level recommendations</b>		
<b>System-level recommendations: WNCB team and policy-makers, such as MOLISA and other relevant government stakeholders at national, provincial and district levels (e.g. Ministry of Education)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
<b><i>Laws, policies, regulations and institutional practices</i></b>		
<b>Contribute to policy change that enhances gender equality, including in the education system and workforce (both the formal and informal sectors).</b>		

<b>System-level recommendations</b>		
<b>System-level recommendations: WNCB team and policy-makers, such as MOLISA and other relevant government stakeholders at national, provincial and district levels (e.g. Ministry of Education)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
<ul style="list-style-type: none"> <li>• Develop a national level youth employment strategy that is gender sensitive, led by MOLISA in coordination with the Ministry of Education.</li> <li>• Ensure enforcement of national legislation on gender equality and child labour by trained and sensitive labour inspectors.</li> <li>• Pursue strategies to better target and address the lower employment opportunities and discrimination faced by ethnic minority women, women with disabilities, young and elderly women, LGBTQI people, migrant women and women in informal work.</li> <li>• Eliminate the gender stereotypes in the education and training system that stream young people into gender segregated, 'suitable' fields of study and occupations, and greatly increase the coverage of labour market oriented technical training for all workers.</li> <li>• Coordinate with relevant stakeholders and government to regularly monitor children's well-being across the areas of education, health, nutrition, WASH, child and social protection to inform policy-making. Importantly, such monitoring and evaluation systems will help to understand where the vulnerable families live, key risk factors facing children and their families, and what are the new forms of vulnerabilities that lead to gender inequalities and their linkages to child labour.</li> <li>• Ensure national action plans and policies related to child labour include specific gender actions, indicators, and outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of decent employment opportunities for youth; gender discrimination and segregation in employment practices at the national, provincial and district levels</li> <li>- Invisibility of child labour in the informal sectors leading to lack of enforcement of legislation and policies</li> <li>- Lack of data on specific risk factors leading to increased vulnerabilities, specifically amongst low-income families working in the informal sector including migrants, ethnic minorities, and families with working children</li> <li>- Lack of disaggregated data on gender inequalities</li> <li>- Lack of monitoring data on child labour and related gender inequalities</li> </ul>	<ul style="list-style-type: none"> <li>- Improved access to decent employment for young people; improved business practices that enable and promote equal employment opportunities for female and male youth</li> <li>- Awareness and enforcement of legislation related to child labour</li> <li>- Existence of laws, policies and programs to promote gender equality and eradicate child labour in Viet Nam (e.g. Labour Code and revisions aiming to close gender gaps; ratification of core conventions on gender equality by the Government of Viet Nam)</li> <li>- Workplace environments that are safe and inclusive for all genders</li> <li>- Improved access to decent employment for female and male youth and adolescents</li> <li>- Improved evidence to develop relevant national policies and programmes to support vulnerable families</li> <li>- Improved evidence base to promote and</li> </ul>

<b>System-level recommendations</b>		
<b>System-level recommendations: WNCB team and policy-makers, such as MOLISA and other relevant government stakeholders at national, provincial and district levels (e.g. Ministry of Education)</b>	<b>Risk factors of child labour for boys and girls present in accordance to findings</b>	<b>Protective factors strengthened to prevent/reduce child labour in WNCB project locations</b>
		<p>enforce policies and legislation on gender</p> <ul style="list-style-type: none"> <li>- Improved evidence base and monitoring system in place to monitor improvements to both prevention/reduction of child labour and its related gender linkages</li> </ul>
<b>Promote job and income security through social protection schemes and improve access for vulnerable families and children.</b>		
<b>Laws, policies, regulations and institutional practices</b>		
<ul style="list-style-type: none"> <li>• WNCB project partners to collaborate with MOLISA to advocate within the Government of Viet Nam for budget allocation for social protection services, such as safety nets for vulnerable families, specifically universal childcare benefits that support children's well-being.</li> <li>• WNCB team to coordinate with key government stakeholders and local authorities in project locations to improve institutions and capacities to ensure equitable and comprehensive social service delivery to vulnerable households and social protection to children and adolescents.</li> <li>• Advocate for and promote the expansion childcare programmes that are subsidized by the Government to enable caregivers to work with specific focus to single parent households and female-headed households. Identify childcare programmes that are community-run and held in a communal location in the community and refer vulnerable families to programmes.</li> <li>• Coordinate with MOLISA to support job sustainability and creation through business with government stimulus, grants or other government credit schemes through referral of WNCB project beneficiaries to supports.</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of universal protection services, childcare for individuals working in the informal sector</li> <li>- Lack of access to social services for individuals working in the informal sector</li> <li>- Traditional roles lead to women leaving the workforce to care for children; gender stereotypes related to roles/responsibilities; lack of childcare and maternity/paternity benefits particularly in the informal sector</li> <li>- Lack of decent employment opportunities</li> </ul>	<p>The following protective factors will be established for all recommendations in this section:</p> <ul style="list-style-type: none"> <li>- Reduction of poverty</li> <li>- Access to employment and social benefits, such as childcare</li> <li>- Access to social insurance and social securities</li> <li>- Improved access to decent employment opportunities</li> </ul>

## 5. Conclusion

The protection of children involved in or at-risk of harmful child labour cannot be achieved via the efforts of one individual, organisation or sector, but requires the pooling of knowledge, skills, resources and joint problem-solving between the local community, service providers, and international and national actors. Cross-sectoral cooperation and coordination involving the health, education and social sectors, and law enforcement authorities, where possible and appropriate so that actors can come together to design and implement holistic, multi-sectoral programming approaches. This is also critical to address the gender inequalities, particularly the social and gender norms that contribute to gender inequalities and their linkages to child labour. While the Government of Viet Nam has made concerted and deliberate efforts to encourage change, such as through the ratification of key conventions, the amendment to laws (such as the Labour Code), and the establishment of new laws, policies and programmes, findings from this analysis show that harmful gender norms are still prevalent and lead to the segregation and socialisation of specific roles and responsibilities assigned to girls, boys, women and men - which are reflected in children's engagement in child labour, including its worst forms.

In order to address the multi-dimensional reality of both gender inequalities and child labour, a comprehensive and coherent approach must be taken by the Alliance team, MOLISA and their partners, incorporating child protection with livelihoods activities, quality education, and social protection measures, and broader efforts to change social and gender norms that lead to gender inequalities. The risk and protective factors that lead to child labour cannot be viewed as separate from those factors that drive gender inequalities. As such, the WNCB project and any future initiatives must combine approaches that seek to address and prevent child labour, such as awareness-raising activities, access to effective formal and non-formal education, and case management with approaches that aim to address the gender inequalities that lead girls and boys to take up specific types of work, as well as those that lead to and reinforce structural and systemic gender inequalities, such as gender norms, gendered social roles and expectations, and uneven access to social protection.

In conclusion, the report highlights that there is value in using simple yet effective measures that will improve structural, community-based, and individual-level interventions (both response-oriented and preventive) that can be monitored and evaluated over time. These measures are included in the recommendation section. Identifying and understanding the protective factors alongside risk factors will result in interventions that are focused on building strengths at all levels of the socio-ecological framework in a multi-sectoral and multi-faceted manner. This work will support the Alliance, MOLISA, and their partners in their efforts to protect children by promoting their healthy development and well-being. It is through the strong commitment of all actors to develop relevant policies and effective



strategies to address the factors that drive gender inequalities and their linkages to child labour that the reduction and prevention of child labour in Viet Nam will be achieved.

**ENDS/**

DRAFT

## Acronyms

CL	Child Labour
CP	Child Protection
FGD	Focus Group Discussion
HCMC	Ho Chi Minh City
GAP	Gender and Power Analysis
GESI	Gender Equality and Social Inclusion
GBV	Gender-based violence
GSO	General Statistics Office
IM	Information Management
IMO	Information Management Officer
KI	Key Informant
KII	Key Informant Interview
ILO	International Labour Organisation
IOM	International Office of Migration
IPV	Intimate Partner Violence
M&E	Monitoring and Evaluation
MSME	Small and Medium Sized Enterprises
MOLISA	Ministry of Labour, Invalids and Social Affairs
MHPSS	Mental Health and Psychosocial Support
NGO	Non-Governmental Organisation
PSEA	Prevention of Sexual Exploitation and Abuse
SDG	Sustainable Development Goal
SGBV	Sexual and Gender-based Violence
SOGIE	School-based Violence and Sexual Orientation, Gender Identity and Expression
UNCRC	UN Convention on the Rights of the Child
UNICEF	United Nations Children's Fund
VAC	Violence Against Children
VT	Vocational Skills Training
WFCL	Worst Forms of Child Labour
WNCB	Work No Child's Business

## Glossary

This gender analysis maintains the following understanding of key terms.

**Child labour** is defined as work that deprives a child of his or her childhood, and that is harmful to physical and mental development.<sup>222</sup> It specifically refers to work that is socially or morally dangerous and harmful to children, interferes with their schooling or deprives them of the opportunity to attend school, or requires them to combine school attendance with excessively long and heavy work.<sup>223</sup> It is work that exceeds a maximum number of hours, depending on the age of the child and on the type of work (as defined by national legislation and in accordance with accepted international standards).<sup>224</sup>

**Child participation** is the term used to encapsulate activities that ensure a child's right to participate in matters that affect them are adhered to. This draws on the concept that "children are not merely passive recipients entitled to adult protective care. Rather, they are subjects of rights who are entitled to be involved, in accordance with their evolving capacities, in decisions that affect them, and are entitled to exercise growing responsibility for decisions they are competent to make for themselves."<sup>225</sup>

**Child safeguarding** is the responsibility that organisations have to make sure their staff, operations, and programmes do no harm to children, that is that they do not expose children to the risk of harm and abuse, and that any concerns the organisation has about children's safety within the communities in which they work, are reported.<sup>226</sup> It involves collective and individual responsibility and preventive actions to ensure all children are protected from deliberate or unintentional acts that lead to the risk of or actual harm from individuals who come into contact with children or impact them through programming or operations.<sup>227</sup>

**Decent work** sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.<sup>228</sup>

**Gender** is the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for girls, boys, women, and men. The term is

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<sup>222</sup> ILO: <http://www.ilo.org/ipec/facts/lang--en/index.htm>

<sup>223</sup> Ibid.

<sup>224</sup> UNICEF: [www.unicef.org/protection/index\\_childlabour.html](http://www.unicef.org/protection/index_childlabour.html) (24 February 2011)

<sup>225</sup> Lansdowne & O'Kane, 2014

<sup>226</sup> Keeping Children Safe, 2014

<sup>227</sup> Save the Children, 2020

<sup>228</sup> ILO: <https://www.ilo.org/global/topics/decent-work/lang--en/index.htm> (3 February 2022)

also used more broadly to denote a range of identities that do not correspond to established ideas of man and woman.<sup>229</sup>

**Gender equality** is the absence of discrimination based on sex or gender that occurs when one sex or gender is not routinely privileged or prioritised over another and all people are recognised, respected, and valued for their capacities and potential as individuals and members of society.<sup>230</sup>

**Gender-based violence** is all harm inflicted or suffered by individuals based on gender differences. The intention of gender-based violence is to establish or reinforce power imbalances and perpetuate gender inequalities. Anyone can experience GBV. However, it affects women, girls, and people with non-binary gender identities systematically and disproportionately.<sup>231</sup>

**Gender norms** are the accepted attributes and characteristics of different gender identities at a particular point in time for a specific society or community. Gender norms are the standards and expectations about gender within a particular setting. They are ideas about how girls, boys, women, men, and children and adults with non-binary gender identities should be and act.<sup>232</sup>

**Harm** is any detrimental effect of a significant nature on a child's physical, psychological or emotional well-being that impacts healthy child development. Harm may be caused by physical or emotional abuse, neglect, and/or sexual abuse or exploitation.<sup>233</sup>

**Hazardous labour** represents the largest category of children working in the worst forms of child labour, most often in informal, unregulated and "hidden" parts of the economy. While it occurs in agriculture, construction, manufacturing, the service industries and domestic work, it is certain *tasks within these sectors* that make the work hazardous, *not the sectors* themselves. Other sectors, like mining, are *always* hazardous because of the *nature* of the work itself. Countries that have ratified ILO Convention 182 are required to develop a list of hazardous forms of child labour to be monitored and eliminated.

**Intersectionality** refers to interconnected power relations that cause inequalities.<sup>234</sup>

**Power differentials** are social categorisations or markers that identify varying degrees of power and status between individuals and groups.<sup>235</sup>

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<sup>229</sup> Save the Children, 2020

<sup>230</sup> Ibid.

<sup>231</sup> Ibid.

<sup>232</sup> Ibid.

<sup>233</sup> The Alliance, 2021a

<sup>234</sup> Save the Children, 2020

<sup>235</sup> Ibid.

**Patriarchy** is a belief system that justifies unequal power relations based on sex and/or gender. It maintains that males or men are inherently superior (intellectually, emotionally, physically, etc.) and is used to justify men's power in society, including over women, girls, and people who identify as non-binary.<sup>236</sup>

**Protective factors** balance and buffer risk factors and reduce a child's vulnerability. They lower the probability of an undesirable outcome.<sup>237</sup>

**Risk factors** are environmental factors, experiences or individual traits that increase the probability of a negative outcome.<sup>238</sup>

**Risk** refers to the likelihood that violations of and threats to children's rights will manifest and cause harm to children in the short- or long-term. It takes into account the type of violations and threats, as well as children's vulnerability and resilience. Risk can be defined as a combination of hazard, threat, and vulnerability and must be considered within the socio-ecological framework.<sup>239</sup>

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<sup>236</sup> Ibid.

<sup>237</sup> Benard 2004; Werner and Smith 1992; Rutter 1987

<sup>238</sup> Benard 2004; Werner and Smith 1992; Rutter 1987

<sup>239</sup> The Alliance, 2021a

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## Annexes

[ See separate document]

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