An Investigation of Gender Mainstreaming in Social Protection Policy
Understanding the processes, actors and institutions that shaped integration of gender into social assistance policy reforms in Viet Nam
Executive summary

Women and girls face distinct risks and vulnerabilities across the full spectrum of rights, well-being and development. Harmful gender norms lead to gender inequalities, such as the disproportionate rate of unpaid care and domestic work undertaken by girls and women compared to boys and men; and life course events such as marriage and childbirth can interrupt girls’ education and women’s participation in the labour market, further increasing their risk of poverty.

As a key development sector, social protection offers significant opportunities to support individuals and families to escape poverty, invest in their well-being and achieve long-term security. When the goals, design and implementation of social protection policies and programmes fail to take gender into account, they risk perpetuating and even worsening gender inequalities, missing the opportunity to catalyse transformative change and sustainably reduce poverty (see Box 1 in section 1 for a more detailed account of what gender-responsive social protection looks like).

Gender-Responsive and Age-Sensitive Social Protection (GRASSP) is a five-year research programme led by the UNICEF Innocenti – Global Office of Research and Foresight and funded by partners including the United Kingdom’s Foreign, Commonwealth & Development Office that aims to enhance the impact of social protection investments on gender equality outcomes. As a component of GRASSP, and in collaboration with UNICEF Viet Nam and the Viet Nam Ministry of Labour, Invalids and Social Affairs (MOLISA), this study investigates the gender responsiveness of the social assistance reform initiated under the Central Committee of the Communist Party’s Resolution No 15-NQ/TW (2012) that primarily took place between 2015 and 2021 and resulted in two policies, Decision 488/2017 and Decree 20/2021. The overall objective of the social assistance reform was to increase coverage and adequacy for individuals who are described in the resolution as being in “extremely difficult circumstances” and to define a minimum living standard to determine eligibility for transfers. These policies also provided an opportunity to enhance gender-responsiveness across the social assistance system.

However, despite the existence of several well-established gender mainstreaming mechanisms and processes, the resultant policies have only a limited degree of gender integration. The aim of the study, therefore, is to assess where the reformed policies are situated along the GRASSP “gender integration continuum” – from gender-discriminatory at one end, through gender-neutral, gender-sensitive and gender-responsive, to gender-transformative at the other – and how this was shaped by the level of gender integration within the policymaking process. In other words, the study investigates how gender was considered during the conceptualization, formulation and approval of the policies, what factors influenced that process and how this led to the level of gender-responsiveness in the final policies.

Based on 35 key informant interviews with governmental and non-governmental actors involved in the policy formulation, and the approval and analysis, of almost 40 documents produced during the reform process, this report addresses five key research questions:

1. To what extent is gender integrated into the framing, analysis, design, and monitoring and accountability of the policies, and what is their overall level of gender-responsiveness?
2. What actions and opportunities with the potential to affect integration of gender into the policies occurred during the policy reform process?

3. How did the ideologies, interest and influence of key actors shape integration of gender into the policy process?

4. How did institutional factors and norms affect the actions and opportunities of actors in integrating gender into the policy process?

5. How did contextual factors affect the integration of gender into the policy process?

Background: Gender mainstreaming and the social assistance reform

The Vietnamese legal framework requires gender mainstreaming to be part of the policymaking process. According to the Law on Gender Equality (2006), considerations of gender equality should be included in all normative legislative documents. A somewhat conflicting provision is given in the Law on the Promulgation of Legal Normative Documents (2015, amended in 2020) (hereinafter referred to as the ‘Law on Laws’), which requires gendered impacts to be assessed if the policy is “related to gender equality”. The integration of gender equality appears at several stages of the legislative process, most prominently in the requirement to complete a Gender Impact Assessment (GIA) during drafting, and it requires participation of the Viet Nam Women’s Union (VWU) and MOLISA the core government entity responsible for gender equality and gender mainstreaming, which includes the Gender Equality Department (GED) as an advisory body.

The social protection system in Viet Nam has multiple pillars, including social insurance, social assistance and social services. MOLISA’s Department of Social Assistance (DSA) oversees and advises on the development and implementation of social assistance policies, including social transfers, emergency assistance and social care. Two policies constitute the reform process of social assistance initiated under Resolution 15/2012:

- Decision 488/2017 on the Master Plan for Social Assistance Reform and Development (MPSARD), which specifies reform targets for social assistance from 2017 to 2030
- Decree 20/2021, which replaced Decree 136/2013, for regulating the governance and implementation of social assistance policies

These documents have brought about important improvements to the country’s social assistance programmes. Under the overall agenda of Resolution 15, Decision 488 set out an ambitious road map for protecting the population throughout the life cycle, and Decree 20 initiated the first phase of the reform by extending the groups eligible for transfers (including older persons and young children) and increasing transfer values for all beneficiaries.
The extent to which gender is integrated into social assistance policies and their overall level of gender-responsiveness (Research Question 1)

Certain changes to social assistance introduced through the reform process are potentially gender-sensitive or -responsive, as they may contribute to the reduction of some gendered risks and vulnerabilities in Viet Nam, most notably by expanding eligibility to (some) women who are excluded from the maternity and pension benefits of the formal social security system. Yet, despite the Government’s commitment to international agreements on gender equity and equality, and the existence of legally established gender mainstreaming mechanisms, the integration of gender into the new policies is limited terms of their framing and objectives, identification of risks and vulnerabilities, specific design and implementation measures, and monitoring and accountability. On the gender integration continuum, the new elements of the two social assistance policies can be categorized as ‘gender-neutral’ as they do not consider the potential for unequal access to or impacts of the programmes due to prevailing gender norms and inequalities. This study attempts to explain the limited level of gender integration in the reform of social assistance policies through a detailed examination of the policymaking process and review and analysis of policy documents through a gender lens.

Actions and opportunities that occurred during the policy reform process with potential to affect integration of gender into policies (Research Question 2)

The findings from this study show that the policy formulation processes for the MPSARD/Decision 488 and Decree 20 followed regulations according to Viet Nam law, including those for gender mainstreaming, and involved participation of key gender actors such as VWU and MOLISA (through GED). However, analysis of the actions and opportunities for gender integration during the policy reform process shows that the gender mainstreaming procedures had little impact on the policies.

First, despite an extensive and well-funded evidence-generation and knowledge-development process, early opportunities to integrate gender within the evidence were missed. This made it difficult to defend certain policy proposals later in the process, for example, the extension of social transfers to pregnant women.

Second, extensive and participatory consultations took place and included gender actors such as VWU and the United Nations Population Fund (UNFPA). However, gender considerations were not systematically integrated into the pre-drafting and drafting consultations and, beyond the core policy elements, additional gender-relevant recommendations made by a variety of actors had no impact on the policies’ content.

Third, the GIA for Decree 20 was conducted but appeared to have no impact on the policy content.

Fourth, revisions made during drafting and following the appraisal weakened some potentially gender-responsive elements of the draft policies related to the conceptual approach to social assistance and
the relevance of gender, monitoring and evaluation, and the number of and extent of coverage for new beneficiary groups.

How did the ideologies, interests and influence of key actors shape integration of gender into the policy process? (Research Question 3)

Various organizations took part in developing the social assistance policies. Their ideas and interests influenced the process and reflect the level of gender-responsiveness of the final policy texts. Most prominently, there is a widespread preference among government actors for non-discrimination in social assistance. Few of the actors involved in the policy process advocated for elements that could be considered higher on the gender integration continuum, such as extending transfers to pregnant women and linking to reproductive health services, and no one contributed gender-transformative ideas. Organizations with higher vested interests in gender integration either did not participate extensively in the process (e.g., the United Nations Entity for Gender Equality and the Empowerment of Women [UN Women]), actively engaged but did not exert great influence on the policies (e.g., VWU) or prioritized other strategic interests (e.g., UNICEF).

Some strategic interests and actions that potentially weakened or strengthened the gender-responsiveness of the final policies were not based on or framed with considerations of gender. For example, the Ministry of Finance’s interest in cost-saving resulted in the elimination of potentially gender-relevant beneficiary categories, with no consideration of the potential impacts on gender-responsive outcomes. Another example is e-payments: while no gender-related arguments were presented for this change in administrative procedures, it may have positive implications for women’s lesser access to economic resources.

How institutional factors and norms shaped opportunities for integration of gender into the policy process (Research Question 4)

Viet Nam’s gender mainstreaming mechanisms are codified in the Law on Gender Equality and the Law on Laws and related decrees. They provide an important basis for the institutionalization of gender in policy formulation. However, this study has found that the need for greater consistency in laws and regulations, and how they are interpreted and implemented by policymakers, the lack of effective accountability mechanisms and the limited resources available resulted in a largely procedural and superficial application of gender mainstreaming in the social assistance policy reform.

First, the formulation of current laws governing gender mainstreaming mean that the regulations are not consistently applied across policy types and sectors. The Law on Laws states that gender mainstreaming (including the GIA) is only applicable to legal normative documents that are “related to gender equality” and Decree 34 (2016) states that important guiding policies, such as certain prime ministerial decisions, are not legal normative documents and are not subject to certain gender mainstreaming requirements.
Second, interpretation and implementation of gender mainstreaming procedures by policymakers is shaped by their underlying ideologies on the (perceived) importance and relevance of gender to their policy area. As such, the common perception of social assistance as ‘gender-neutral’ means that gender mainstreaming procedures are either not applied (given the lack of legal guidance on which policies are related to gender) or that gender analysis focuses on demonstration of non-discrimination rather than on understanding the impacts of the policies on gendered vulnerability and inequality, and the formulation of more gender-responsive or transformative policy design.

Third, the application of gender mainstreaming regulations is further undermined by the low level of available resources. This includes the lack of earmarked financial resources to support gender research, analysis and consultation; the lack of demand for gender-disaggregated data and evidence; the low number of gender experts both within and outside the Government, especially those with knowledge of social assistance and the policy process; and the limited availability of technical guidance and training, especially in relation to gender and social assistance.

How contextual factors affected integration of gender into the policy process (Research Question 5)

Contextual factors of a socioeconomic, legal and political nature have impacted the level of gender integration in social assistance reform in both positive and negative ways. Macro-level changes in Vietnamese society created a more enabling environment for expanding social assistance and for considering gender when doing so. However, this opportunity was counterbalanced by financial challenges and by an overarching legal framework that predetermined the direction and magnitude of the reform. In the political arena, while the momentum for social assistance and for gender mainstreaming has been building, increased knowledge and awareness is needed to better reflect this in concrete policy actions.

Conclusions

Guided by Resolution 15, the MPSARD and Decree 20 brought about several important reforms of Viet Nam’s social assistance system, including expansion to more vulnerable groups and an increase in benefit levels. However, this study found that despite the legal framework and mechanisms for gender mainstreaming, gender was weakly integrated into social assistance policies. Although some of the new policy provisions may lead to moderately gender-responsive outcomes among beneficiaries, the new elements of the policies themselves are gender-neutral, since they do not consider the potential for unequal access to or impacts of the programmes due to prevailing gender norms and inequalities, and may also result in (unintended) gender-discriminatory outcomes.

Findings from the analysis of the policy process suggest that strong and unequivocal political commitment at all levels and among all influential actors is key for improving gender mainstreaming in social assistance policy. An important step towards broadening this commitment will involve amending current legislation such that gender mainstreaming is a requirement for all policies in the legal hierarchy. Further, prioritizing gender mainstreaming with dedicated resources and addressing institutional and policymakers’ gender norms and ideas could enhance the institutionalization of gender in policy formulation.
The findings also highlight the need to increase the skills and capacities of key policymakers on gender and to improve the evidence base for gender analysis to ensure a more consistent focus on gender integration throughout the policy process. In particular, training and other knowledge enhancement initiatives must focus on strengthening understanding of the relationships between social assistance and gender for both government policymakers and external actors. Finally, policymaking processes could be more inclusive and gender-responsive by strengthening participation of gender advocates and partnerships among government agencies, non-governmental organizations and beneficiaries.

Recommendations

Recognizing the Government of Viet Nam’s dedication to gender equity and gender mainstreaming as evidenced in commitments to several gender-related international frameworks and national laws, the recommendations for the Government and its partners focus on strengthening gender-responsiveness in the policy development process through gender mainstreaming, with the aim to strengthen gender integration in future phases of social assistance reform and institutionalization of gender within the social assistance system.

1. Recommendations for the Ministry of Labour, Invalids and Social Affairs

STRENGTHENING GENDER MAINSTREAMING IN REFORM PROCESSES

1.1 Advocate for the inclusion of gender in Party resolutions and other high-level government strategies.

1.2 Leaders should show ownership of and commitment to gender mainstreaming beyond an assumption of gender-neutrality.

1.3 Create an accountability framework for gender mainstreaming that specifies the responsibilities and expectations of different actors/staff members within MOLISA at various stages of the process.

1.4 Strengthen gender-responsive financing, including increased resources for GED and gender mainstreaming activities.

1.5 Ensure the effectiveness of GIAs, starting with their evaluation to identify good practices and areas for improvement.

1.6 Further enhance guidance on the contents of the GIA and ensure these are known, understood and used by policymakers.

STRENGTHENING GENDER INTEGRATION IN THE POLICYMAKING PROCESS

1.7 Provide periodic training on social assistance and gender to those involved in the drafting, GIA and appraisal.

1.8 Include gender analyses in the evaluation of existing policies and programmes.
1.9 Ensure the gender balance and gender expertise of the drafting board, including in decision-making.

1.10 Engage gender advocates and policymaking experts throughout the entire process, ensure there is dedicated time for gender dialogue and create a mechanism to record and respond to recommendations.

1.11 Monitor the changes of a draft’s gender-responsiveness as it moves from pre-drafting to appraisal and update the GIA to reflect any changes.

MAKING THE SOCIAL ASSISTANCE SYSTEM MORE ENABLING OF GENDER MAINSTREAMING

1.12 Move towards a digital beneficiary registry and management information system that includes sex-disaggregated data.

1.13 Develop a monitoring and evaluation framework for social assistance, with participatory mechanisms and gender-responsive indicators.

2. Recommendations for appraising agencies (including the Ministries of Justice, Finance, and Planning and Investment)

2.1 Involve gender expertise in the review of the policy dossier, particularly the relevance and quality of the GIA.

2.2 Assess the gendered impacts of the recommendations made by the appraisal committee.

3. Recommendations for development partners

3.1 Support MOLISA and other ministries with a social protection mandate to strengthen their gender mainstreaming capacity.

3.2 Ensure that gender is used as a guiding principle in all United Nations work, including social assistance (in line with the ‘Delivering as One UN’ agenda).

3.3 Ensure integration of a gender lens into all policy research for social assistance and support gender analysis for specific policies.

3.4 Support training of gender experts from international organizations and civil society in gender and social assistance and the policymaking process.

4. Recommendations for the Government and the National Assembly

4.1 Amend the regulations in the Law on Laws regarding which policies are relevant for gender by recognizing that all legal normative documents and other government policies can potentially have gendered impacts.
4.2 Strengthen mechanisms for oversight of gender mainstreaming in integrated policymaking that allows for more systemic policy reform when required. While the National Assembly already plays this role for new laws, centralized oversight must be extended to policies that are lower in the legal hierarchy.

4.3 Include sufficient, earmarked budgets for gender mainstreaming among the resources provided for policy formulation.

4.4 Require the GIA to be completed earlier in the policymaking process to ensure that there are opportunities to modify policies based on its outcomes.
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1. Introduction

The potential of social protection systems in achieving sustained poverty reduction and transformative change has long been recognized. It is also known that gender equity is a core precondition of sustainable socioeconomic development. There is limited understanding, however, of how integrating gender into social protection systems can contribute to these objectives. Recognizing this knowledge gap, the Gender-Responsive Age-Sensitive Social Protection (GRASSP) research programme seeks to strengthen the gender-responsiveness of social protection systems in low- and middle-income countries by building a robust evidence base (see Box 1 for a definition of gender-responsive social protection). The GRASSP research programme investigates the best practices, processes and the roles of institutions and political economy in achieving enhanced gender equality outcomes.

This report is part of GRASSP Research Stream 3 (RS3), which focuses on the institutionalization of gender equality into social protection systems. In other words, it looks at the political and policy processes that shape the incorporation of gender into programmes and systems. The GRASSP research programme recognizes the need to move beyond programmes and towards systems for the sustainability of gender equality outcomes.

As one of five case studies under RS3, Viet Nam provides an opportunity to investigate how and why, or why not, gender-responsive approaches were incorporated into social assistance policy reforms. This is important because policies that do not integrate gender miss opportunities to promote gender equity and may unintentionally exacerbate existing gender risks and inequalities (see Box 1). Specifically, the study focuses on the formulation of Decision 488/2017, known as the Master Plan for Social Assistance Reform and Development (MPSARD), and Decree 20/2021, which put the first concrete reforms into practice. The scope of this study is social assistance, defined in Viet Nam as a combination of cash transfers, ad hoc in-kind support in the case of emergencies and certain forms of social care. Viet Nam provides an interesting case because, despite the existence of several well-established gender mainstreaming mechanisms and processes, the resultant policies have only a limited degree of gender integration.

In addition to contributing to the global knowledge base under the wider GRASSP programme, this report supports the ongoing collaboration between UNICEF and the Government of Viet Nam on strengthening the gender-responsiveness of the social assistance system. The recommendations of this report may contribute to the more effective integration of gender into future social assistance reforms in Viet Nam.

The rest of this report is structured as follows. Section 2 presents the GRASSP framework and the conceptual framework and research questions developed for this study. Section 3 describes the study design, methods and ethical considerations. Section 4 summarizes Viet Nam’s legal framework for policy formulation and gender mainstreaming and describes specific social assistance policies of interest. Section 5 presents the findings including an assessment of the gender-responsiveness of the final policies (RQ1) and analysis of the formulation process (RQ2) and the role of actors (RQ3), institutions (RQ4) and the wider context (RQ5) in shaping gender integration. Section 6 concludes with a summary of the main findings and their implications for the most effective approaches to
institutionalizing gender within the social protection system. Section 7 provides country-specific recommendations for Viet Nam.

**BOX 1: WHAT IS GENDER-RESPONSIVE SOCIAL PROTECTION?**

Women and girls face distinct risks and vulnerabilities throughout the life course. Inequalities and disadvantages experienced early in life can also be cumulative over the life course; for example, the risk of poverty is higher for children and women. In addition, girls and women are likely to bear the burden of unpaid care and domestic work. This has implications for their right to education and their position in the labour market, which in turn affects their access to social protection. Health risks are also gendered, such as in sexual and reproductive health and the risk of sexually transmitted infections such as HIV. Women and girls also face significant violence, abuse and exploitation risks, including physical and sexual violence. Combined with adolescent girls’ risks of school dropout and early marriage, these factors influence girls’ labour market participation, especially in the formal sector and, in turn, their access to contributory social protection.

These risks and vulnerabilities are often derived not only from material poverty and constraints, but also from harmful norms and stereotypes, which intersect and further limit adult women’s ability to pursue jobs with labour and social protection. When they succeed in entering the labour market, women often face gender pay gaps and interrupted careers due to their care responsibilities.

Social protection has a role to play in addressing such risks and vulnerabilities through specific design and implementation features. However, when the goals, design and implementation of social protection policies and programmes fail to take gender into account, they risk perpetuating and even worsening gender inequalities, and miss the opportunity to catalyse transformative change and sustainably reduce poverty.

Exactly what a gender-responsive social protection system looks like will depend on the country context and the nature of the gendered risks and vulnerabilities that exist. Nevertheless, the available global evidence points to several areas for consideration:

- Non-contributory social protection programmes – social assistance – often target women as recipients. However, unintended adverse effects may occur, especially when behavioural conditions are attached to benefit receipt. Delivery modality, benefit level and duration are critical to address specific gendered risks and vulnerabilities. There is growing evidence that linking social assistance to other services (‘cash plus’ approaches) can have greater impacts on beneficiaries, since multiple programme components can simultaneously address a more diverse set of risks and vulnerabilities.

- Evidence on gender-responsive approaches for contributory social protection – social insurance – is more limited. However, it is well known that women are at greater risk of exclusion from health insurance and contributory pensions, as they are more likely
to work in the informal sector and in unpaid care. It has been suggested that pension contributions based on care leave are effective in ensuring that women do not face old-age poverty.

- **Labour market programmes** such as training, job rotation, employment incentives and wage subsidies have been effective in improving labour market outcomes for women. Design features that seem important from a gender equality perspective include training sessions on gender issues and complementary interventions that address transportation costs, gender norms and childcare needs.

- **Social care services** can positively affect children’s development and improve women’s labour market outcomes. However, availability of such services must be combined with specific design features that ensure quality and affordability, and promote uptake.

Source: Adapted from Camilletti (2020).
2. Conceptual framework and research questions

This section presents the conceptual framework and research questions for the investigation of gender mainstreaming in Viet Nam’s social assistance policy reform and how they relate to the wider GRASSP research programme.

Gender-Responsive Age-Sensitive Social Protection programme

This study is embedded within the overall GRASSP conceptual framework, presented in UNICEF Innocenti (2020), which maps out the intersections and interlinkages between gender, social protection and the life course (see Annex 1 for a schematic representation of the GRASSP framework). The GRASSP framework acknowledges that poverty, risks and vulnerabilities are gendered, and that structural- and individual-level drivers of gender inequality result in unequal outcomes for girls and women relative to boys and men. The framework maps out the opportunities and mechanisms through which social protection systems – including the legal and policy framework, programme design, implementation, governance and financing – may address gendered risks and vulnerabilities through specific programmes across the social protection delivery cycle.

This case study falls under GRASSP RS3, which focuses on understanding how overall social protection systems can be reformed to become more gender-responsive and the best levers and mechanisms for driving and sustaining the institutionalization of gender equality objectives, approaches and strategies.

Over the past 25 years, gender mainstreaming has been the most common approach used by governments and international development organizations, including in Viet Nam, to achieve this.² Mainstreaming gender into social protection policy should contribute to ‘gender institutionalization’ within the social protection system, with the goal of enhancing gender equality through social protection interventions (see Box 2 for definitions of these key concepts). The GRASSP framework recognizes that a number of different factors (or ‘change levers’) can enable or constrain gender institutionalization within social protection systems, including political commitment to gender equality, the capacity and skills of governments and partners to recognize and analyse gender issues and to design systems accordingly, institutional norms, rules and practices, the availability of relevant evidence and data, and the presence and capacity of social movements that promote women’s and children’s rights. In other words, gender mainstreaming in social protection policy is both a technical and a political process.
BOX 2: DEFINING KEY CONCEPTS USED IN THIS REPORT

Following Levy (1999, p. 1), institutionalization is defined as “the process whereby social practices become sufficiently regular and continuous to be described as institutions”. Gender institutionalisation (or institutional transformation) denotes a profound change within an institution to achieve gender equality outcomes. It encompasses substantive changes in an organization or system’s mandates, rules and procedures, as well as shifts in dominant values and beliefs embedded in an organizational culture. It also requires shifts in the existing power underlying gender relations embedded in specific organizations responsible for policy and planning.

Building on the definition in the United Nations Economic and Social Council (ECOSOC) Agreed Conclusions 1997/2 (UN Women, 2022, p. 11), gender mainstreaming is defined as “...the process of assessing the implications for women and men [and girls and boys] of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s [and girls’] as well as men’s [and boys’] concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men [and girls and boys] benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.”

Conceptual framework and research questions

To study the social assistance policy reform in Viet Nam, this study employs a conceptual framework that focuses on both the policy content and the policy formulation process, and how actors, institutions and wider contextual factors shaped the gender mainstreaming process and the resulting extent of gender integration in the final policies (see Figure 1).

As well as assessing the gender-responsiveness of the policies, the conceptual framework draws on the approaches of political economy analysis in understanding the interests and influence of different policy actors as revealed through their recommendations for and contributions to policy formulation, while aiming for a deeper understanding of the underlying ideologies on gender and social assistance that drive actors’ commitment or resistance to more gender-responsive policies (Holmes, Jones and Domingo, 2019). The framework also recognizes the institutional architecture that regulates and shapes actors’ behaviours and the policy and gender mainstreaming processes, as well as the wider political landscape of the reform.
The overarching research question for this study asks: **What mechanisms, processes and actors shaped gender mainstreaming in Viet Nam’s recent social assistance reform, and how did this affect the gender-responsiveness of the policies?** This question is broken down into five subquestions relating to each component of the analytical framework.

The starting point for the study was to understand the extent to which gender has been integrated into the two final policies, Decision 488 and Decree 20. Mainstreaming gender into social protection policies occurs across different dimensions (Camilletti et al., 2021). Policies provide an enabling framework for social protection programme implementation and may refer directly to human rights and gender equality policies or state explicit gender equality goals. To successfully promote gender equity, policies must also identify gendered risks and inequalities, and incorporate gender-specific design and implementation measures to address them. Policy monitoring and accountability mechanisms can also incorporate gender-responsive features to ensure gender goals are being achieved. Thus, **Research Question 1 (RQ1) asks:** To what extent is gender integrated into the framing, analysis, design, and monitoring and accountability of the policies, and what is their overall level of gender-responsiveness?

The subsequent research questions seek to understand the level of gender integration into the two policies by examining the policymaking process. This one includes evidence, consultation, drafting and appraisal. This typology is specific to the Viet Nam context and was developed through an initial meeting with stakeholders and examination of the legal framework for policy development, including gender mainstreaming. It is recognized that the policy formulation process is not always linear and there is sometimes overlap between stages. A detailed understanding of the policy process allows for identification of which government and non-government actors, including gender advocates, were involved, in what capacity and at which stage, what they advocated for (or against), and the extent of gender-responsive evidence that was available. Thus, **Research Question 2 (RQ2) asks:** What actions and opportunities with the potential to affect integration of gender into the policies occurred during the policy reform process?
The question seeks to reveal what opportunities and actions occurred that had the potential to enhance or diminish integration of gender throughout the policy construction process for Decision 488 and Decree 20. Opportunities and actions occur as an interaction between different actors and the policymaking process, and are embedded within the institutional context. They may include evidence production, dialogue, consultation, written submissions, drafting, recommendations and directives, by any actor involved in the policy process.

Then, the conceptual framework recognizes that the extent to which gender is integrated into the policymaking process is shaped by factors at three different levels. At the level of individual actors, gender integration depends on actors’ ideologies and interests regarding gendered risks and vulnerabilities, the role of social assistance in addressing gender inequalities and ideologies on the nature and value of gender mainstreaming, as well as their relative influence in the process. Thus, Research Question (RQ3) asks: How did the ideologies, interests and influence of key actors shape integration of gender into the policy process?

Building on RQ2, this question seeks to identify all key actors involved in the policy reform process and examines their ideologies and interests relevant to gender-responsive social assistance. Ideologies are identified through explanations of the rationale behind any recommendations made and analysis of knowledge and attitudes revealed about four distinct themes: gender; gender mainstreaming; poverty and vulnerability; and social assistance. Considering the actions and opportunities explored in RQ2, this question also examines the influence level of actors within the policy reform process. Influence is identified through actors’ own and others’ perceptions of their level of influence in the process, including recollection, acknowledgement and acceptance (or not) of recommendations, and references to actors’ credibility.

Further, at the State institution level, gender integration depends on the specific laws and policies governing the policy formulation process, how these are understood and put into practice by policymakers, and the organizational resources available to do so. Thus, Research Question 4 (RQ4) asks: How did institutional factors and norms affect the actions and opportunities of actors in integrating gender into the policy process? This question examines institutional factors at two different levels: laws and policies governing the policy formulation process and organizational resources. The analysis examines policy actors’ understanding and application of laws and policies governing the policymaking process, including gender mainstreaming; and the financial, human, technical and evidence/data resources available for gender mainstreaming in the policy process.

Finally, the framework recognizes that both the institutional factors and the role of actors are shaped by wider contextual factors, including other laws and policies, politics and the economy. Thus, Research Question 5 (RQ5) asks: How did contextual factors, including political commitment to social assistance and the role of public policy, affect the integration of gender into the policy process? This question examines wider political ideas and other contextual factors related to gender mainstreaming and social assistance that may influence the commitment of governments and donors to gender-responsive policy reform in general, and gender-responsive social assistance in particular. The analysis draws on the testimony of key actors in the reform process on the influence of existing sectoral and related laws and policies, and wider political ideas and ideologies on gender mainstreaming and social assistance.
3. Methodology, ethics and study limitations

This section presents the study design, sampling approach and methodologies for data collection and analysis, as well as research ethics and study limitations.

3.1 Study design

To address the research questions, the study relied on a qualitative design including primary data collected through semi-structured in-depth interviews and documents directly related to the policy reform. In total, 35 interviews were conducted, including 22 interviews with governmental actors and 13 interviews with non-governmental actors.

Additionally, a total of 39 documents were gathered. These included evidence, written comments and recommendations, draft policies and a GIA. Triangulation between these two sources of data provided validation of the analysis and conclusions, thus enhancing the results’ credibility.

Further information was gathered during two workshops: a virtual stakeholders’ workshop on 9 September 2021 and an in-person validation workshop in Hanoi, Viet Nam on 7 December 2022. Presentations and round-table discussions in the stakeholders’ meeting were used to develop the research design and the sampling approach. Feedback gathered on the first draft report at the validation workshop was used to ensure the robustness of findings and relevance of the recommendations when revising the report.

3.2 Sampling approach

The purpose of the in-depth interviews was to understand the perceptions of individuals who were involved in or influenced the MPSARD (Decision 488) and Decree 20 policymaking process about:

1. Informants’ experiences of the policymaking process and the opportunities to and challenges in incorporating gender into the policies at different stages of the process

2. Informants’ perceptions and understanding of gender vulnerabilities and inequalities, gender mainstreaming processes, the role of social assistance in addressing gendered vulnerabilities and inequalities, and how these perceptions influenced the policymaking process and the outcomes in terms of gender-responsiveness of the policies

The objective of the sampling approach was to ensure saturation of these issues of interest. The study therefore took a purposive approach to sampling that aimed to identify key personnel within and outside the central Government who were directly involved at each stage of the policymaking process. Actors involved in the drafting and appraisal of policy documents, as well as gender advocates, were purposively selected into the sample. Relevant organizations included several departments of the Ministry of Labour, Invalids and Social Affairs (MOLISA), other ministries, sociopolitical organizations, United Nations agencies and other international organizations, and social organizations. (See Table 5 in Annex 2 for the number of participants from each organization.)
Identification of the relevant organizations and individuals involved several steps, including a document review, an initial stakeholder meeting with both government and non-governmental participants, drafting of an initial sample list, and reviewing and feedback from UNICEF Viet Nam and MOLISA. In addition, sampling allowed for additional informants identified during the first in-depth interviews through a complementary snowballing approach. The research team was supported by MOLISA for governmental actors and UNICEF Viet Nam for external actors in inviting and planning for the interviews.

3.3 Data collection

**3.3.1 Data-collection instruments**

The topic guides for the semi-structured in-depth interviews were developed by the study team and reviewed by UNICEF Viet Nam based on the overarching GRASSP conceptual framework, the research questions and subquestions, and knowledge from desk reviews and stakeholder meetings about the role of the informants in the process.

The questions were structured around four main topics:

- Evidence and processes for needs identification
- Policy drafting process
- Policy approval process
- Perspectives and understanding of gender mainstreaming and the role of social assistance in addressing gender inequalities

One main version of the topic guide was developed, with alternative sets of questions for two main respondent types: policymakers/governmental actors and non-governmental actors. Policymakers are informants who were mandated to implement or to contribute to the policymaking process, and non-governmental actors are informants who participated in the policymaking process with the objective of influencing the policy.

The topic guides were developed collaboratively by the research team, and both the governmental and non-governmental topic guides were pre-tested with individuals who were familiar with MOLISA’s policy processes but not directly involved in the social assistance reform. This led to some adjustments and reformulation of the questions.7

**3.3.2 Interviewers and interpreters’ training and interview process**

All interviews were conducted by the four research team members, working in pairs in leading and supporting roles. All team members received refresher training on research ethics, in-depth training on tools and interviewing/facilitation techniques, and participated in piloting the topic guides followed by a debriefing session to clarify outstanding issues. Training was also provided to the interpreters who facilitated the interviews, which included an introduction to the study, ethical considerations including
confidentiality and data management, and a discussion about the most accurate translation into Vietnamese of key terms from the interview guides.

Interviews were conducted between late January and early April 2022. Due to COVID-19 travel restrictions in Viet Nam, all interviews were held online using video conferencing software, with simultaneous interpretation, facilitating the perception of a real-time conversation for both the interviewer and the informant. The interviewers held a preparatory meeting prior to each interview and a debriefing following the interview to constantly assess the interview process and to identify emerging issues of interest and gaps in knowledge related to the research questions to inform, adjust and shape future interviews and sampling. (See section 3.5 on research ethics regarding informant informed consent, privacy and confidentiality.)

### 3.3.3 Transcription and translation

All interviews were recorded with permission of the informants and were then fully transcribed. Eleven interviews were conducted in English and 24 interviews were conducted in Vietnamese. Due to budget constraints, 15 of the interviews in Vietnamese (those judged to provide the richest content) were first transcribed in Vietnamese and then translated into English by professional translators, with the remainder transcribed directly into English. Transcription was aimed at generating a verbatim record of the audio recording, including verbal and non-verbal expressions such as emphasis and pauses, as well as noting interruptions and garbled speech.

### 3.3.4 Documents

All informants were asked to share any relevant documents related to the policy reform that were identified during the interviews. The documents were collated and categorized as evidence, policy actor comments, gender impact assessments and policy drafts. (See Annex 3 for the full list of documents.)

### 3.4 Data analysis

#### 3.4.1 In-depth interviews

To analyse the in-depth interview transcripts, a thematic analysis was applied, working with the NVivo software. Coding and analysis of the data proceeded in three steps. First, an initial deductive coding frame was developed based on the conceptual framework and interview guides before being applied by all team members to a set of three transcripts. The coded transcripts were then compared and discussed by the team to develop the final coding frame. Second, the final coding frame was applied using NVivo to the whole data set, with the 35 transcripts distributed among the team. Third, when the coding was finalized, the research questions were distributed between the team members to conduct deeper analytical work and to write up the findings.

#### 3.4.2 Documents

The analytical approach for documents depended on the document type. Final and draft policies were analysed using the gender mainstreaming into social protection programmes and strategies analytical...
framework following Camilletti et al. (2021) to identify the extent to which gender is recognized in policy framing, vulnerability analysis, specific measures, and monitoring and evaluation (M&E) (described in section 5). Evidence produced for the reform was analysed using an adapted framework to identify the extent of gender integration in the research or study objectives, methods, findings and recommendations. Written comments and opinions on the proposed and draft policies were coded and incorporated into the same thematic analysis as the in-depth interviews.

3.5 Research ethics

Ethics approval for the study was granted by the HML Institutional Review Board on 7 January 2022. Consideration was given to ensuring informed consent, participant confidentiality and privacy, potential harm to participants, dignity, representation and diversity, and data security.

An informed consent form was sent to each informant before the interview and read at the beginning of interviews to obtain the informant’s consent for participation in the study. The informed consent form included: appropriate information on the purpose and nature of the study and the approximate interview length, voluntary participation, the right to terminate the interview at any point and to skip any questions, confidentiality and contact information in case of any concerns following the interview. To protect the interviewees’ confidentiality, participants’ names and personal information were strictly managed within the research team, with research data de-identified before data analysis. A data-management protocol was developed for use by all research team members and the interpretation company that had access to video and audio recordings of the interviews. All data has been stored securely on a password-protected server, with no access by third parties, and will be destroyed 12 months after completion of the research project in accordance with the research protocol.

Due to norms and protocols in Vietnamese governance, MOLISA and UNICEF Viet Nam both supported the coordination and implementation of this research study. Given that both organizations have been important stakeholders in the social assistance reform process, they are also subjects of the study. The literature on action research (for an overview, see Gelling and Munn-Giddings, 2011) has established that a collaborative process involving study subjects in various stages of research may present unique ethical challenges. These challenges pertain to the scientific validity of results and the protection of participants. To minimize risks to scientific validity, the study protocols have been developed independently by the researchers, without the involvement of local partners (MOLISA or UNICEF Viet Nam). Although MOLISA and UNICEF Viet Nam provided support in identifying and recruiting the study participants, the purposive sampling design predetermined the characteristics of suitable respondents, minimizing the influence of the local counterparts over participant selection. The confidentiality and data-handling protocols described above protected interview respondents from being identified. Overall, the benefits of engaging MOLISA and UNICEF Viet Nam are considered to outweigh the costs. The study implementation would not have been feasible without their involvement, and all identified risks could be minimized with a rigorous study design and ethical protocols.
3.6 Methodological challenges and limitations

Several methodological challenges were experienced during the study process. First, several informants could not recall details of the policymaking processes, especially for the MPSARD that was developed earlier, between 2015 and 2017. This also sometimes made it difficult to be certain about the chronology of events. Moreover, respondents appeared to have difficulty separating events that occurred during the pre-drafting stage from those in the drafting stages. Hence, although pre-drafting and drafting are distinct steps in the policymaking process, the findings do not always distinguish between them. Nevertheless, triangulation between the interviews and the documents collected could partly compensate for this recall bias and points of uncertainty are reflected in the findings where necessary. Additionally, it is possible that not all draft documents or feedback on draft policies have been received.

Second, there is a gap in perspectives in the sample due to the unavailability of an important actor in the reform process. The Government Office, which was responsible for appraising Decree 20, was unable to participate in the study, meaning that the findings about the final stage of the formulation of the decree may not be complete. However, all other stages and key actors of the reform process have been interviewed, offering a nuanced view of the events and perspectives shaping the process.

Third, the interviewers sensed that many respondents were sometimes hesitant to express perspectives beyond a very formal narrative. Creating an atmosphere conducive to open and mutual self-disclosure was made more challenging by the online interview setting and the use of interpreters. This created the risk of limiting the understanding of the political economy of gender integration in the policymaking process. Nevertheless, it was possible to identify common themes and patterns in ideologies on social assistance, gender and gender mainstreaming, and the institutional and wider contextual enablers and constraints to gender integration.

The fourth limitation relates to the external generalizability of the findings. As the following section will explain, social assistance is governed by various laws and decrees, some of which fall outside of the jurisdiction of the Department of Social Assistance (DSA). The two policies were selected based on their scope and recentness, and they should be interpreted as case studies. Although the contents of this report may not fully reflect the events surrounding the development of other policies, the structural, resource-related and contextual forces are likely to hold in the broader Vietnamese policy arena. The research team carefully contextualized findings and made explicit links to relevant findings when presenting the conclusions and recommendations.

Finally, language barriers existed between the research team and respondents. Online interviews were conducted with simultaneous interpretation. Although these enabled participants to answer questions in their preferred language, they reduced the researchers’ control over phrasing and use of language. Similarly, the validation workshop revealed misunderstandings due to mistranslations. To minimize any bias arising from language barriers, the research team has worked closely with local experts to review the Vietnamese translation and edit the final research outputs.
4. Background

This section first provides a brief overview of the current state of gender risk and inequality in Viet Nam and summarizes Viet Nam’s legal framework and processes for policy formulation and gender mainstreaming. It then describes the reform process that took place through the Central Committee of the Communist Party’s Resolution No. 15-NQ/TW dated 1 June 2012, the MPSARD in Decision 488/2017 and Government Decree 20/2021.

4.1 Gendered risks and inequalities in Viet Nam

Viet Nam is a middle-income country located in South-East Asia. The 30 years since its transition to a market economy have been considered successful, with remarkable economic growth and stark reductions in poverty. Important advances have also been made in some areas of gender equality. Gender parity in education has been reached up to the lower secondary level, although inequality returns at the graduate level (United Nations Entity for Gender Equality and the Empowerment of Women [UN Women], 2021). Female labour-force participation is remarkably high in Viet Nam, at 70.9 per cent, in stark contrast to 43.9 per cent participation in the Asia and Pacific region (International Labour Organization [ILO], 2021a).

Yet, there is ample room for improvement if the goals of gender equity and equality are to be achieved. Women are overrepresented in vulnerable employment such as subsistence agriculture and contributing family work (ibid.). The widespread belief that giving birth and caring for children is women’s ‘heavenly duty’ (thiên chức) underpins large gender gaps in unpaid care and domestic work (UN Women, 2021). This has been exacerbated in recent years by the COVID-19 pandemic (ILO, 2021a). Old-age poverty and vulnerability presents a widespread risk for women, who have a greater likelihood of life cycle breaks in employment and earnings, and higher rates of poverty in old age (UN Women, 2021).

Son preference and sex-selective abortion remain critical issues, demonstrated by an extreme imbalance in the sex ratio at birth: there were over 111 boys born for every 100 girls in 2019 (Viet Nam, General Statistics Office [GSO], 2020). According to a national prevalence study, approximately 2 out of 3 women who had ever been married experienced violence by their partners, and more than 13 per cent of women experienced lifetime sexual violence (Viet Nam, MOLISA and GSO, and UNFPA, 2020). Although increasing the share of women in political leadership positions has been prominently featured in the National Strategy on Gender Equality (NSGE) 2011–2020, a review of the strategy’s implementation concludes that these targets have not been achieved. The share of women in leadership positions remains low in both the Party and the Government (UN Women and Viet Nam, MOLISA, 2021).

Girls and women with disabilities face compounding vulnerabilities and disadvantages: they have less access to education, rehabilitation services and the labour market than males with disabilities (UN Women, 2021). Women with disabilities are also more likely to experience physical and sexual abuse, including childhood sexual abuse, than women without disabilities (Viet Nam, MOLISA and GSO, and UNFPA, 2020).
While women in Viet Nam have slightly higher access to social insurance compared to men (31.3 per cent compared to 22.1 per cent, in 2019), they tend to drop out at a faster rate and have lower salaries (UN Women, 2021). Thus, women’s contributions tend to be lower over their lifetimes, leaving them with lower pension access and benefit levels, especially in the private sector (ILO, 2021b). Moreover, only workers in the compulsory social insurance system (about 29 per cent of women in the workforce) have access to sickness and maternity benefits. As a result, women’s poverty tends to be higher than that of men, especially in old age, and women rely more on non-contributory social assistance.

However, social assistance takes secondary status to social insurance with no basis in law, low coverage and low benefit levels. In 2020, approximately 3 million people (about 3.4 per cent of the population) were covered by social assistance, including vulnerable older persons, persons with disabilities, single parents with young children, orphans, and children and people living with HIV (UN Women, 2022). Prior to the reform under Decree 20, only 18 per cent of women over 80 years of age received a social pension benefit (UN Women, 2021). The recent reforms (the focus of this study) have brought about important expansions in social assistance to new groups of beneficiaries, including older persons aged 75–79 years, children under 3 years of age in poor and near-poor households, and other vulnerable children. Beyond this, a lack of sex-disaggregated data from the social protection system limits further gender analysis.

4.2 Viet Nam’s policy formulation process

This section describes Viet Nam’s policy formulation process, including the relevant legislative bodies, the legal hierarchy and the legislative process.

4.2.1 Legislative bodies and the legal hierarchy

Viet Nam is a one-party socialist republic under the leadership of the Communist Party of Viet Nam. The country’s legislative body is the National Assembly. Executive power is exercised by the Government, headed by the Prime Minister, four Deputy Prime Ministers and 18 ministries. Another important body in the governance system is the Viet Nam Fatherland Front (VFF), an umbrella of several sociopolitical organizations representing groups of the population. The Viet Nam Women’s Union (VWU) is a key sociopolitical organization belonging to VFF tasked with the representation of women’s rights and interests, including in the political sphere.

Since the social assistance reform took place at various levels of the legal hierarchy, it is important to describe the legal system in Viet Nam (see Figure 2). The Constitution of the Socialist Republic of Viet Nam was adopted by the National Assembly in 2013 and provides the highest-level legal basis for the operation of the State. Codes and laws, as well as resolutions, of the National Assembly are at the second-highest level in the hierarchy; all legal normative documents below them are considered by-laws and should not contradict them. Legal documents enacted by the executive body, including decrees and circulars, are placed lower in the hierarchy.
4.2.2 The legislative process

The legislative programme is the National Assembly’s annual plan on what new legal documents should be created or revised. Formulating the legislative programme is a complex process, some stages of which can be understood as pre-drafting of the new legal documents. The agency requesting a new item to be added to the agenda must research the current legal system and the performance of existing policies, in addition to making proposals for policy options with estimated impacts and costs. This step of the policy process is also referred to as a ‘request for policy formulation’ and many of the evidence-generation and consultation activities begin in this pre-drafting stage. If a legislative proposal is added to the annual legislative programme, the law requires that a drafting agency is appointed to establish a drafting board. The drafting board consists of a chief (who is the head of the drafting agency), representatives of the drafting agency, representatives of the Ministry of Justice and the Government Office, other relevant agencies, and experts and scientists. Drafting boards have at least nine members. The board is responsible for reviewing the legislative proposal, discussing it with relevant organizations, and ensuring that the new draft is feasible and aligned with existing policies.

The drafting agency oversees evidence-generation, consultation and formulation of the draft policy. This includes the oversight and organization of the drafting process, and the preparation of drafts, descriptions and other required documents. The drafting agency reports on the drafting process to
MOJ. It is also the agency’s responsibility to seek the opinions of other relevant agencies, including by publishing the draft policy on the Government’s online portal. Based on these opinions, they prepare a feedback report detailing the comments received and how they were addressed.

Once a draft policy is prepared, a dossier is sent to MOJ for appraisal. The dossier includes a description of the project, the draft policy, an assessment of the administrative procedures required for the draft policy, and a report on how gender equality was integrated into the draft. At this stage, MOJ reviews all documents and, if approved, sends the draft to the Government (represented by ministers). The Government then discusses and votes on the draft.

Some legislative documents, such as laws, are promulgated by the National Assembly. Those that belong to the executive branch, including prime ministerial decisions and government decrees, are signed by the Prime Minister. In the case of laws, there is an inspection process carried out by the Ethnic Council or the NASC. In the case of by-laws, although there is no formal inspection process by the legislature, the NASC should still be consulted before the draft policy is signed.

### 4.3 Mechanisms and process for gender mainstreaming in Viet Nam

This section describes the mechanisms and processes for gender mainstreaming, including the relevant State institutions, the legal and policy framework, and processes and guidelines.

#### 4.3.1 State institutions for gender mainstreaming

Viet Nam has a national machinery for advancing women’s issues. MOLISA is the line ministry responsible for gender equality issues. MOLISA hosts the Gender Equality Department (GED), the State management agency for gender equality. Further public bodies with gender-related mandates include VWU, the National Committee for the Advancement of Women (NCFAW) and the Committees for the Advancement of Women. As a central sociopolitical organization, VWU is involved and expected to represent women’s rights and interests in policymaking across all sectors. NCFAW is a central agency that advises the Prime Minister on developing and monitoring gender-related policies and acts as a focal point for international cooperation on women’s issues, while the Committees for the Advancement of Women are present in each of the line ministries and in subnational government bodies (across provinces). Further, the National Assembly’s Social Committee plays an important role in inspecting the gender-responsiveness of new policies (discussed further in the following section).

#### 4.3.2 Legal and policy framework for gender mainstreaming

Gender equality principles and objectives have been enshrined in Viet Nam’s legal framework. The principle of equality between men and women is enshrined in article 63 of the Constitution, which emphasizes the equality of economic, social, cultural and political rights, and prohibits all forms of gender-based discrimination. Various articles contain constitutional prohibition of violence against women. Viet Nam has signed and ratified various international agreements with specific goals of gender equity and equality:
The Convention on the Elimination of All Forms of Discrimination Against Women

The Beijing Declaration and Platform for Action

The Sustainable Development Goals (and previously the Millennium Development Goals)

In 2006, the country promulgated the Law on Gender Equality, which defines gender equality as follows: “man and woman have equal position and role; are given equal conditions and opportunities to develop their capacities for the development of the community, family and equally enjoy the fruits of that development” (article 5, clause 3). This law provides the conceptual basis for gender equality in the country.

Following enactment of the Law on Gender Equality, the Government established GED in 2008 under MOLISA as the State management agency for gender equality, nationwide. GED is responsible for ‘inspecting’ the implementation of gender equity commitments, including gender mainstreaming, within draft laws and policies (UN Women, 2021). GED is mandated to lead implementation of the Law on Gender Equality and the NSGE, and supports the functions of NCFAW.

The Government has further embedded gender mainstreaming in the policymaking process through various sectoral laws. The NSGE 2011–2020 set targets to integrate gender into the legal system, with specific targets to be achieved by line ministries. Objective 7 of the NSGE for 2011–2020 was “to enhance state management capacity of gender equality”. This resulted in greater consideration of gender in the formulation of new laws or the revision of existing laws in the field of statistics, labour-market and business policy, education, social protection, communication and media, and political leadership. For example, the Law on Statistics (2015) requires that all labour statistics should include sex-disaggregated data and should be reported in periodic economic reports, such as the annual Labour and Social Trends report. The Law on Vocational Education (2014) includes measures to facilitate women’s access to vocational training.

4.3.3 The gender mainstreaming process and guidelines

Viet Nam’s legal framework requires gender mainstreaming to be part of the policymaking process. According to the Law on Gender Equality, considerations of gender equality should be included in all normative legislative documents. Legal normative documents include laws and government decrees, but not certain prime ministerial decisions. The Law on the Promulgation of Legal Normative Documents (2015, amended in 2020) (hereafter, referred to as the ‘Law on Laws’) also includes the requirement for integrating gender equity into new legislative documents. Article 5 specifies some uniform rules for formulating and promulgating legislative documents, among which it mentions the need to “integrate gender equality issues”. However, this law only requires gender integration if the document is related to gender equality, without specifying what policies or areas are considered related to gender equality. Thus, similar to the findings of UN Women (2021), there is a need for greater consistency in the requirements for gender integration between the Law on Gender Equality and the Law on Laws.

Gender equality integration appears at several stages of the legislative process. First, legislative proposals (the documents assembled in the request for policy formulation stage) should already
include an assessment of gender-related impacts. Later, the draft law’s appraisal, government review and inspection include assessments of the law’s integration of gender equality. The most specific guidelines for such a gender review are given for the inspection stage, in which the National Assembly’s Social Committee is required to consider the following:

- “Determination of gender issue in the project or draft document;
- Ensure the observance of gender equality principles of the project or draft document;
- Compliance to procedures for assessing integration of gender equality in the project or draft document;
- Feasibility of regulations in the draft document to ensure gender equality” (article 69, Law on Laws).

The law stipulates that the request for formulation, the appraisal, government review and inspection processes for decrees should also consider gender if they relate to gender equality. Although the general requirement of all legislative documents to include an assessment of gender equality considerations presumably also applies to prime ministerial decisions, the chapter describing the enactment of such decisions does not mention any evaluation of impacts.

The implementation of the Law on Laws is guided by Decree 34/2016, article 6 of which provides some additional detail on the contents of regulatory impact assessments. However, little elaboration is given on assessing gender equality: “Gender impacts (if any), which shall be assessed on the basis of analyzing and forecasting economic and social impacts related to the opportunities, conditions and capacity of exercising rights and enjoying benefits of each gender.”

While Decree 48/2009 elaborates on the requirements of gender mainstreaming in draft legal documents, it does not provide much more detail than the previously discussed legislative documents. According to this decree, gender equality issues should be included in the drafts of all legal documents identified as relevant for gender equality. The document provides no criteria on how to determine whether a draft is relevant for gender equality. Article 8 guides the contents of such gender equity considerations, including: a list of contents of the draft document that are related to gender equity, a discussion of proposed measures to tackle gender equity issues (including their forecasted impact on women and men) and an estimate of financial and human resources needed to implement these measures.

The decree contains brief provisions about the responsibilities of various agencies involved in the policymaking process (Articles 10–13). The drafting agency is responsible for compiling the Gender Impact Assessment (GIA), for ensuring the participation of VWU and State management agencies with gender equality mandates in the drafting process, including MOLISA (through GED) and NCFAW, for consulting experts or organizations representing population groups affected by the new policy, and for presenting the results of these consultations and VWU’s comments to the appraising agency. The decree reiterates that the appraising agency is responsible for evaluating the gender equality considerations in draft documents.
While the Law on Gender Equality and the Law on Laws refer to normative legal documents, the Gender Equality Strategy for 2021–2030 extends the requirement of gender mainstreaming to strategic documents: “Implement the integration of gender equality contents in the formulation of policies, laws and socio-economic development programs, strategies and plans.” However, similar to the two laws, it does not provide specific guidance, such as indicators or data requirements, on how gender equality should be integrated and what accountability mechanisms should be applied.

4.4 The social assistance system and recent reform

The social protection system in Viet Nam has multiple pillars, including social insurance, social assistance and social services. Responsibility for social protection primarily falls under MOLISA. This ministry has 19 departments, directorates and offices, among which DSA oversees the development and implementation of social assistance policies. MOLISA also hosts GED and has its own research unit called the Institute of Labour Science and Social Affairs (ILSSA).

A scoping review of legislative documents identified three key legal normative documents that relate to the most recent reform process of social assistance. Resolution 15 is on the social protection system developed by the Communist Party of Viet Nam promulgated in 2012 and covering the period 2010–2020; Decision 488/2017, also known as the MPSARD, is a prime ministerial decision on the reform targets for social assistance from 2017 to 2030; and Decree 20/2021 is a government decree adopted in 2021, replacing Decree 136/2013, for regulating the governance and implementation of social assistance policies.

4.4.1 Resolution 15

Historically, Viet Nam’s social protection system, and social assistance in particular, has been characterized by several weaknesses including policy fragmentation and low coverage and benefit levels (Kidd et al., 2016). To address these issues, in 2012, the Communist Party of Viet Nam adopted Resolution 15, which defined the country’s vision for social protection and launched a series of reforms aimed at strengthening the system. Resolution 15 defined the concept and structure of social protection, as well as key priorities for the period 2010–2020. Prior to Resolution 15, decade-long national social protection strategies guided the country’s approach to social protection, with the last one ending in 2010.

Resolution 15 identified five pillars of social policy (see Figure 3). At the heart of this study is Pillar 4, which is related to social assistance:

- Pillar 4: Social assistance for people in extremely difficult circumstances: these include non-contributory programmes supporting individuals in “extremely difficult circumstances”. Resolution 15 states that in the period 2010–2020, the coverage and adequacy of social assistance should be increased and a minimum living standard should be defined to determine eligibility for transfers.

In addition, Resolution 15 is concerned with:

- Pillar 1: Policies for people with merit (‘meritorious service’): these are programmes that ensure
that people who have served the revolution have an adequate living standard and access to basic services.

- Pillar 2: Employment, income and poverty reduction policies: these include labour and education policies, the development of a public employment programme and the national target programmes (NTPs) on reducing poverty and increasing the living standards of the Vietnamese population.

- Pillar 3: Social insurance: these include all (contributory) programmes and policies guided by the Law on Social Insurance (2014) and the activities of the Social Insurance Fund. The Resolution envisages the revision of the Law on Social Insurance to increase coverage of workers.

- Pillar 5: Ensuring a minimum level of basic social services, including education, medical insurance, housing, clean water and information security for the people, especially poor, disadvantaged people, and ethnic minorities.

**Figure 3: The concept of social policies as defined in Resolution 15**

Since Resolution 15 is a Party resolution, not a legal normative document, the various pillars enshrined in it require laws and/or by-laws to guide the Government’s action. The most important document guiding social assistance reform is Decision 488/2017, also known as the MPSARD. This document is an agenda-setting by-law with no specific financial implications for the national budget. The goals outlined in the MPSARD are specified, guided and implemented through Decree 20, which replaced Decree 136 in 2021, and circulars.
4.4.2 Decision 488: The Master Plan for Social Assistance Reform and Development

The MPSARD contains two sets of targets for two periods: 2017–2021 and 2021–2025. It also includes the Government’s vision on social assistance towards 2030. The document sets out the following objectives:

- Improvement of the legislative framework for social assistance
- Continued support to and improved living standards of disadvantaged groups
- Expansion of the number of population groups eligible for government assistance, prioritizing people affected by poverty and vulnerability, especially in remote, mountainous and island locations
- Creation of a system based on a life cycle approach
- Development of a network of social assistance centres providing social services to vulnerable groups of the population
- Increase in financial resources dedicated to social assistance

The document states that these objectives should be guided by key principles, including equity, stability, sustainable development and the empowerment of people. The MPSARD identifies population groups that require increased support, such as older persons, poor pregnant women, young children (up to 36 months old), children living in difficult circumstances and persons with disabilities. For these target groups, the aim is to expand coverage and increase levels of benefits.

4.4.3 Decree 20 on social assistance policies for social assistance beneficiaries

Even before the MPSARD, social assistance was regulated by government decrees. When the MPSARD was promulgated, Decree 136 was already in effect and was replaced by Decree 20 in 2021. Thus, Decree 20 is the first decree guiding the implementation of social assistance to be put in place since the MPSARD. Table 1 summarizes the beneficiary groups and benefit amounts of regular social assistance as defined in Decree 20.
Table 1: Summary of groups eligible for regular social assistance and corresponding benefit values in Decree 20

<table>
<thead>
<tr>
<th>GROUP</th>
<th>SUBGROUP</th>
<th>BENEFIT AMOUNT (VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Older persons</td>
<td>Aged 60+ living in poor households, without a caregiver or with a caregiver who receives regular social assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aged 75 to 80 years in poor households in ethnic minority or mountainous regions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aged 80+ without a pension or social assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Living in poor households or in social care (unable to care for themselves)</td>
</tr>
<tr>
<td>2</td>
<td>Children under 16 years of age who are abandoned, orphaned or half-orphans, or with parent(s) in prison or a social institution or missing</td>
<td>540,000–900,000 (depending on age)</td>
</tr>
<tr>
<td>3</td>
<td>Youth aged 16–22 who received social assistance due to being abandoned, orphaned, or half-orphaned, if they are in school (studying for first degree)</td>
<td>540,000</td>
</tr>
<tr>
<td>4</td>
<td>HIV-infected children from poor households</td>
<td>540,000–900,000 (depending on age)</td>
</tr>
<tr>
<td>5</td>
<td>Single parents or caregivers of children under 16 years of age or of children aged 16–22 in vocational or higher education, living in a poor or near-poor household</td>
<td>360,000–720,000 (depending on number of children)</td>
</tr>
<tr>
<td>6</td>
<td>Children with severe disabilities</td>
<td>720,000–900,000 (depending on severity of disability)</td>
</tr>
<tr>
<td>7</td>
<td>Children under 3 years of age in poor households or in ethnic minorities in hamlets, communes and mountainous regions</td>
<td>540,000</td>
</tr>
<tr>
<td>8</td>
<td>Persons aged 16 or over with severe disabilities</td>
<td>540,000 – 720,000 (depending on severity of disability)</td>
</tr>
<tr>
<td>9</td>
<td>Persons aged 16 or over with HIV/AIDS living in poor households, without a stable source of income</td>
<td>540,000</td>
</tr>
</tbody>
</table>

Source: Decree No. 20/2021/ND-CP.
Note: The transfer values in the ‘benefit amount’ column are in Vietnamese dong (VND) per month.
Emergency transfers are also regulated in Decree 20 for households affected by covariate (e.g., natural disasters) and idiosyncratic (e.g., injury, loss of breadwinner, funeral costs) shocks. These transfers can be in-kind or in cash.

Decree 20 also contains provisions on who is eligible for social care, which refers to two types of care: community-based care or, as a last resort, residential care in social houses. Care can either be long-term or temporary emergency protection. Children under 16 years of age without parental care, older persons without care who are unable to care for themselves, and persons with severe disabilities are eligible for long-term care in the community or, if community-based care is not applicable, in social houses. Temporary care, or transient housing, is for children without parental care who cannot be cared for in the community, and for survivors of domestic violence, sexual harassment or assault, human trafficking or labour abuse (in the case that they require protection or are waiting to be transferred to long-term residential care). Temporary care should last no longer than three months.

The State provides different levels of monthly allowance to community-based caregivers or residential institutions to meet the basic needs of those in their care, the minimum level of which is also specified in Decree 20. Besides the normative financing provided to caregivers, those in community-based care are also entitled to regular cash transfers. People in long-term residential care do not receive regular cash transfers. However, the financing provided to institutions is higher than that provided for community-based care.

### 4.4.4 Scope of research

The focus of this study is the MPSARD (Decision 488) and Decree 20, as these documents are the most tangible outcomes of the social assistance reform process. Moreover, Decree 20 is the most comprehensive among relevant by-laws, as it encompasses all three elements of the social assistance pillar. The concept of social assistance in Viet Nam is somewhat different from standard social protection typologies. While social assistance usually refers to cash- and in-kind transfers, the Vietnamese concept also includes short- and long-term residential care. This element is referred to as ‘social care’ in Viet Nam. To ensure comprehensibility and consistency for the local interviewees and audience, this study adopts the broader concept of social assistance, which includes social care.

Although the study recognizes Resolution 15 as the starting point of the reform process, it is not analysed in detail for several reasons. First, at the time of conducting this research, Resolution 15 was already a decade old and respondents may have difficulty recalling events related to formulation of the policy. Second, since Resolution 15 is a Party resolution, it was created through different processes and with different actors than legal normative documents. Hence, including it in the analysis would have required a substantial expansion of the study scope. Third, the added value of an in-depth analysis of Resolution 15 would be limited because it does not contain detailed policy provisions.

The social assistance policy landscape in Viet Nam is fragmented with multiple other legal documents guiding specific elements that can be considered social assistance. For example, Decision 565/2017 contains MOLISA’s vision for investments in the social workforce and the infrastructure of social service establishments. Decree 86/2015, under the jurisdiction of the Ministry of Education and Training (MOET), provides an exemption from tuition fees for children who are benefiting from regular social assistance as per Decree 20 and fee exemptions or reductions for ethnic minority
children in disadvantaged areas. The Law on Health Insurance (2008) states that people in poor households and ethnic minorities living in difficult or extremely difficult socioeconomic conditions, as well as children under 6 years of age, should receive health insurance. In summary, there is some fragmentation within the social assistance in the narrow sense (as defined by Resolution 15) and links with other sectoral policies. Moreover, poverty reduction is not among the intended objectives of social assistance, according to Resolution 15. Rather, poverty reduction falls under Pillar 2 on ‘Employment, income and poverty reduction policies’. As such, the scope of the research focuses on the Vietnamese classification of social assistance and does not include certain policies that are considered part of social assistance under international classifications.
5. Findings

Following the conceptual framework and research questions presented in section 2, this section presents the findings of the study starting with an assessment of the gender-responsiveness of the final policies (RQ1), followed by the opportunities and actions for gender integration in the policy formulation process for the MPSARD and Decree 20 (RQ2), the ideologies and influence of the actors involved (RQ3), institutional norms and factors (RQ4) and the wider context that shaped the extent and depth of gender integration (RQ5).

5.1 Gender analysis of the social assistance policies (Research Question 1)

Camilletti et al. (2021) define four dimensions to assess the extent to which gender is mainstreamed in social protection policies and programmes. This section builds first upon this analytical approach discussing gender mainstreaming in Viet Nam’s social assistance policies across the following dimensions:18

- gender framing of the policies
- recognition of gendered risks and vulnerabilities
- presence of gender-specific design and implementation features
- gender-responsiveness of monitoring, evaluation and accountability measures

The extent to which the social protection policies integrate gender equality are then assessed on a continuum from gender-discriminatory to gender-transformative (see Figure 4). This analytical tool is referred to as the ‘gender integration continuum’ (Banati et al., 2020). It distinguishes five stages to characterize the level of gender integration in a policy: gender-discriminatory, gender-neutral (or gender-blind), gender-sensitive, gender-responsive and gender-transformative. Programmes that purposefully exclude women or exacerbate existing inequalities are gender-discriminatory. Programmes that ignore the existence of gendered risks and vulnerabilities are described as gender-neutral. Notably, while programme designers may be well-intentioned and aim for non-discrimination, assuming a position of ‘gender-neutrality’, this approach can unintentionally contribute to existing gender inequalities by failing to apply a gendered lens in design and implementation. Gender-sensitive policies implicitly respond to the needs of girls and women, and boys and men, while gender-responsive policies do so more consciously. However, neither of these policy types necessarily challenge the structural and cultural forces underpinning inequalities. Gender-transformative policies seek to transform these underlying norms.
5.1.1 Overview and gender framing of the policies

The first analytical dimension of the gender mainstreaming analytical framework refers to the overall framing of the policies, assessing whether gender equality is explicitly stated among their intended objectives to be better positioned to respond to gendered risks and vulnerabilities.

Despite the overarching legal framework for gender mainstreaming (see section 4), Viet Nam’s social assistance policies do not include a gender-related aim. Beyond a passing reference to the life cycle approach in Decision 488, there are no explicit gendered objectives. This implies that at the level of policy framing and higher-level objectives, the new measures introduced in the two social assistance policies are gender-neutral, as they do not consider the potential for unequal access to or impacts of the programmes due to prevailing gender norms and inequalities. Nevertheless, the reform process has brought about several changes in programme design that might contribute to the reduction of gendered risks and vulnerabilities.

5.1.2 Recognition of specific gendered risks and vulnerabilities and adoption of gender-specific design and implementation measures

If social assistance programmes are to achieve gender equality outcomes, they must identify the risks and vulnerabilities to be addressed. Camilletti et al. (2021) list several life course risks that are likely to affect women disproportionately, as well as structural gender inequalities such as women’s lesser access to economic resources, their burden of unpaid care and domestic work, and their higher likelihood of experiencing gender-based violence. While the recognition of risks and vulnerabilities can contribute to gender equality outcomes, their impact can be enhanced through gender-specific measures and programme design features. Examples of such features include the targeting of groups experiencing gendered risks and vulnerabilities, measures that facilitate women’s and girls’ access to social transfers, education or economic resources (e.g., training, or linking financial services to cash transfers), and integrating social assistance service provision with other social services (e.g., through one-stop service centres, referral mechanisms and information provision). The recognition of specific gendered risks and vulnerabilities across the life cycle and the adoption of gender-specific design and implementation measures are therefore two other critical analytical dimensions to be assessed regarding both Decision 488 and Decree 20, after outlining first the specific modifications to Viet Nam’s social assistance policy that resulted from the reform process and were formalized in Decree 20.
SUMMARY OF CHANGES IN DECREE 20 COMPARED TO DECREE 136

Compared to its predecessor (Decree 136), Decree 20 included modifications in nearly all articles. In this report, the focus is on changes that are potentially relevant for the gender-responsiveness of the policy – in other words, those that may influence gendered risks and vulnerabilities (explicitly or implicitly). As summarized in Table 2, changes in Decree 20 with potential gender relevance include the horizontal and vertical expansion of social assistance by extending the groups eligible for transfers including older persons, single parents in near-poor households, young children and HIV-infected children, and increasing the (nominal) transfer value by 33 per cent.

Arrangements for transfer delivery have also been changed. Decree 136 stated that Provincial People’s Committees are responsible for deciding on the mode of payment in line with local conditions and with the goal of moving towards payments by financial service providers (rather than State bodies). Decree 20 seeks to eliminate payments by State agencies, requiring that MOLISA’s local bodies establish contracts with financial service providers. Providers should be experienced, have transaction networks covering communes, wards and townlets, and be capable of guaranteeing payment at home for individuals in need of this.

Table 2: Summary of main changes in eligibility and benefit values in Decree 20 compared to Decree 136

<table>
<thead>
<tr>
<th>ELIGIBILITY CRITERIA</th>
<th>TRANSFER VALUE</th>
<th>IMPLEMENTATION MECHANISMS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Expansion of social pensions to more older persons</td>
<td>• Increase of base allowance(^{20}) from VND 270,000 to VND 360,000</td>
<td>• Delegation of benefit payment to financial service providers (from State bodies)</td>
</tr>
<tr>
<td>• Expansion of transfers for single parents to those in ‘near-poor’ households</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Introduction of targeted benefits for young children</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Removal of ‘no monthly pensions or social allowances’ requirement for HIV-infected children in poor households</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Authors’ elaboration based on Decree No. 136/2013/ND-CP and Decree No. 20/2021/ND-CP.

GENDER INEQUALITIES IN CHILDHOOD

Given that several of the categories eligible for social assistance transfers and social care are children in vulnerable situations, these policies have relevance for risks that appear early in the life cycle, such as childhood poverty and early marriage. Children without adequate parental care are eligible for regular cash transfers, as well as community-based or residential care as per Decree 20. This group was already included in Decree 136 and no changes have been implemented for them during the reform.
The key changes related to childhood in the reform process affect the earliest years of life. The MPSARD includes the objective of adopting social support policies for children under 36 months old and for pregnant women in poor households in the period 2021–2025. It also aims to increase the coverage of these newly adopted forms of support by 2030. Neither young children nor pregnant women were mentioned in Decree 136. Decree 20 adopted children under 36 months old as a new beneficiary group if they live in poor households in disadvantaged or ethnic minority areas. Camilletti et al. (2021) argue that women’s lesser access to economic resources and human capital starts early due to unequal access to nutrition and education. Social assistance programmes that also encourage women’s access to antenatal and postnatal care and other health and nutrition services are more effective at addressing gender gaps in children’s health and nutrition (Holmes and Jones, 2013).

The provision of transfers to young children may provide some protection against the detrimental effects of poverty during these sensitive years, including for girls. However, the overall approach can be categorized as gender-neutral, as there is no recognition in Decree 20 of girls’ particular needs and no specific provisions to promote gender equitable outcomes in a context of preexisting gender inequalities.

**EARLY MARRIAGE**

Early marriage remains a concern in Vietnamese society, particularly among poor, ethnic minority communities. Yet, no policies within the scope of social assistance explicitly address this risk. The provision of social assistance to the populations’ most vulnerable groups may reduce the likelihood of early marriage as a coping strategy by reducing economic incentives to marry, supporting access to education and promoting girls’ empowerment, especially when integrated with other social and economic programmes and services (Mathers, 2021). In Decree 20, the targeting approach for various categories of vulnerable people includes the geographic targeting of ethnic minority areas (which have a much higher incidence of poverty than areas with Kinh majority populations). Thus, the transfers may indirectly have a higher likelihood of benefiting girls who would be at risk of early marriage. However, the policy is gender-neutral in this regard as reducing early marriage is not recognized as an objective of the policies and no specific provision or linkages to other child marriage policies have been made.

**PREGNANCY AND MATERNITY**

Pregnant women were included as a proposed new beneficiary group in the MPSARD, but they do not appear as a beneficiary group in Decree 20. The political process behind this decision is discussed in the following sections.

With regard to transfers for young children, as Decree 20 does not specify whether the caregiver receiving transfers should be the mother or father, the design does not perpetuate harmful societal norms about women’s caregiving responsibilities. However, it also does not adequately address the needs of women caring for young children, as the benefit is too low to compensate for the loss of income associated with caregiving and only starts after the child’s birth. In contrast, the maternity benefit in the system’s social insurance pillar provides transfers for six months based on the parent’s recent average earnings. Moreover, given that the new child benefit is narrowly targeted to poor households in deprived areas, it falls short of reaching the estimated 67 per cent of women who work in the informal economy (ILO 2021a). Thus, while this policy reform is a partial step towards
addressing inequality in access to maternity benefits (arguably gender-sensitive), it is not yet fully responsive to the needs arising from the intersection of gender, poverty and (un)employment, and remains gender-neutral in terms of the assessment of risks.

**SINGLE PARENTHOOD**

Although the MPSARD does not specifically mention single parents raising children, both the old and new guiding decrees consider this group eligible for regular social assistance if they live in a poor household. A new addition of the reform process has been the inclusion of non-poor households, which may protect more single-parent families from the heightened risk of deprivation. The extension of coverage to non-poor households is likely to disproportionately benefit single mothers, given the likely lower rate of single fatherhood. Thus, the policy reform may lead to gender-responsive outcomes, although without explicitly aiming to address gender inequality in single parenting. Since no gender-specific vulnerabilities are acknowledged, this policy element is effectively gender-neutral.

**RISK OF DOMESTIC AND SEXUAL VIOLENCE, AND HUMAN TRAFFICKING**

The two policies address the risks of gender-based violence through social services rather than cash transfers. The MPSARD includes the objective of improving policies and developing services that provide ‘urgent support’. This refers to State support on a needs basis in critical situations, whether they are emergencies affecting single individuals or households, or covariate shocks. The MPSARD lists different forms of emergencies and vulnerabilities that imply eligibility for urgent support. These include domestic and sexual violence and trafficking of women and children.

The Vietnamese model of social assistance (as discussed in section 4.4) includes community-based and residential care. In relation to survivors of domestic or sexual violence and human trafficking, this means temporary housing and protection until a longer-term solution is found (with a maximum duration of three months). Decree 136 already contained these emergency services and there is no change in its regulation in the new decree. Notably, the Chairs of People’s Committees have the discretion to consider cases that do not fall under the listed categories but need temporary care or protection. Thus, the two policies can respond to some needs of gender-based violence or trafficking survivors. While these are important gender-responsive elements of the wider social assistance system, they predate the reform, and no new provisions were introduced.

**RISKS AND VULNERABILITIES ASSOCIATED WITH OLD AGE AND WIDOWHOOD**

Perhaps the MPSARD’s most ambitious provisions refer to the expansion of social pensions. It aims to provide ‘social welfare’ to older persons in various steps. The development of guiding decrees has largely followed this plan. When Decree 20 replaced the previous regulations, the eligibility criteria for older persons changed to allow more beneficiaries into the programme. The gradual horizontal and vertical extension of social pensions is likely to address specific vulnerabilities that women experience, although without containing explicit gender-specific design measures. Women in Viet Nam are more likely to be employed in the informal sector or in domestic work, and pregnancy, maternity and domestic care responsibilities may present further obstacles to joining the formal labour force. Hence, approximately only 16 per cent of women over 65 years of age receive a social insurance
pension, compared to 27 per cent of men. Moreover, life expectancy at birth is 8 years higher for females than for males, suggesting that women are in need of and benefit from the extension of social pensions disproportionately. Thus, while the extension of the social pension is gender-neutral in its formulation, it may have limited unintended gender-responsive outcomes by disproportionately reducing old-age income inequality among women.

**WOMEN’S LESSER ACCESS TO ECONOMIC RESOURCES AND OPPORTUNITIES**

Women’s lesser access to economic resources is not addressed directly or indirectly in the social assistance policies; however, the benefits are targeted at the individual (and not at the household) level, which may contribute to better access of beneficiaries to their transfers. In terms of implementation arrangements, the reforms to payment delivery systems should improve accountability by separating duties and setting expectations for ensuring immobile or isolated beneficiaries’ access to payments. While this may improve access to benefit payments for vulnerable women, the changes are not explicitly designed to address gender inequality in access and are gender-neutral in their formulation in the policy.

**WOMEN AND GIRLS’ BARRIERS TO EDUCATION**

The lesser access of girls and women to education has been prominently recognized in the NSGE 2021–2030. In the two social assistance policies, there is no concrete reference to women’s barriers to education. Overall, even if this is not an explicit objective, cash transfers may promote girls’ schooling by increasing households’ disposable income. Decree 20 states that children who benefit from regular social assistance may continue to receive support beyond the age of 16 if they pursue education. Despite not explicitly targeting women’s education access, this element may have positive impacts on human capital accumulation by reducing the opportunity cost of education. A minor specification in the length of benefit receipt has been added to Decree 20: while Decree 136 referred to the age group 16–22, the new decree says: “until they finish their education or reach the age 22, whichever comes first”. As with other areas of gendered risks and vulnerability, the social assistance transfers may help to address gender inequalities in access to education, but they have not been explicitly designed to do so.

**5.1.3 Gender integration in monitoring, evaluation and accountability**

Camilletti’s (2020) gender mainstreaming analytical framework notes that accountability and learning mechanisms are key to ensuring good design, implementation and adherence to gender equity targets. Improving the overall governance of social assistance is among the objectives of the MPSARD. However, its road map contains little detail on governance and does not discuss how and when policies should be monitored and evaluated. It only assigns the different tasks associated with implementation to the responsible bodies. Monitoring is mentioned a single time in the document: “Provincial-level People’s Committees shall… monitor, inspect, supervise, and report on the implementation of the Scheme in accordance with current law.” None of the relevant decrees contain more specific guidance on M&E or on the collection of sex-disaggregated data. Decree 20 mentions that commune-level implementation staff should collect and forward lists of beneficiaries to the higher administrative levels. However, this serves the bottom-up budgeting process rather than monitoring.
Detailed grievance mechanisms are also absent from both the MPSARD and the decrees guiding its implementation. The beneficiary registry for social transfers is paper-based and does not feed into a harmonized M&E system (Vanore et al., 2017). Evaluations of the social assistance system are thus carried out on an ad hoc basis by MOLISA’s research agency, ILSSA, with occasional cooperation from international consultants. Overall, monitoring, evaluation and accountability are weakly defined in Decision 488 and Decree 20 and make no reference to gender.

While the lack of sex-disaggregated data and integration of gender into the monitoring and grievance systems is itself a gender-neutral approach, it also undermines the ability to analyse gendered access and impacts across the social assistance system.

**5.1.4 Research Question 1: Conclusions**

As discussed in the sections above, the two social assistance policies do not include explicit considerations of gender at the broader level of policy objectives and framing (the first analytical dimension), in terms of recognition of specific gendered vulnerabilities (the second analytical dimension) in relation to newly introduced design features that would tackle gendered inequalities (the third analytical dimension). The policies aim to respond to the risks and vulnerabilities experienced throughout the life cycle in a more generic way, without differentiation between genders. While some of the existing and new programme elements may contribute to the reduction of gendered risks (e.g., the higher risk of old-age poverty among women), they do not explicitly apply a gender lens. The same conclusion applies regarding gender integration in monitoring, evaluation and accountability (the fourth analytical dimension).

In conclusion, on the continuum from gender-discriminatory to gender-transformative, the new measures in the policies that resulted from the social assistance reform process in Viet Nam appear to be gender-neutral since they do not consider the potential for unequal access to or impacts of the programmes due to prevailing gender norms and inequalities. Although some outcomes of the reform may be gender-sensitive or moderately gender-responsive for parts of Vietnamese society, the policies may also result in (unintended) gender-discriminatory outcomes. Ultimately, it is not possible to draw firm conclusions given the limited availability of sex-disaggregated data and evidence.

The following sections explain how and why these newly introduced measures in the policies came to be gender-neutral by answering the remaining four research questions.

**5.2 Opportunities and actions for gender integration in the formulation of the Master Plan for Social Assistance Reform and Development and Decree 20 (Research Question 2)**

This section describes each stage of the policymaking processes for Decision 488 (also known as the MPSARD) and Decree 20 in turn and identifies the participation of actors with a gender mandate or interest, and the opportunities and actions that occurred with potential to enhance or diminish gender integration. As described in section 4, the policy formulation process in Viet Nam consists of two main stages, pre-drafting and drafting, each of which consists of several steps. However, due to a lack of specificity regarding when some events occurred, and for consistency with the analytical
framework, the analysis is structured around a general typology of the policy formulation process, including evidence generation, consultation, drafting and appraisal, as shown in Figure 5.  

**Figure 5: Components of the policy process for Decision 488/2017 and Decree 20/2021**

![Figure 5: Components of the policy process for Decision 488/2017 and Decree 20/2021](image)

Source: Authors’ own elaboration.

### 5.2.1 Opportunities and actions for gender integration in the Master Plan for Social Assistance Reform and Development’s formulation

**EVIDENCE FOR THE MASTER PLAN FOR SOCIAL ASSISTANCE REFORM AND DEVELOPMENT/DECISION 488**

The ideation phase for MPSARD involved a deliberate and extensive process of evidence generation led by DSA with substantial financial and technical support from the United Nations Development Programme (UNDP) and other external agencies. This included a series of studies conducted by MOLISA’s research department, ILSSA, which assessed different components of the social assistance system (ILSSA 2015a; ILSSA 2015b; ILSSA 2015c; ILSSA 2015d; ILSSA 2015e; ILSSA 2015f), an overarching study written by an international consultancy firm, Development Pathways (DP), that consolidated findings from the ILSSA studies with international evidence and developed specific proposals for reform (Kidd et al., 2016), and evidence produced by several other United Nations agencies that promoted their specific interests (see Annex 3 for the full list of documents reviewed). UNDP also funded an international researcher with gender expertise to support ILSSA during the research process and organized training workshops in Viet Nam, as well as a study tour to the United Kingdom and Sweden to enhance the knowledge of key actors on social assistance systems. There is no indication that GED, VWU or any social organization contributed directly to the evidence-generation process for the MPSARD.

A review of available reports and other documentation shows that, in most cases, gender was not deliberately or explicitly integrated into the evidence-generation process or knowledge-development initiatives. Gender does not feature in any of the core presentations for the two- and five-day training courses, or the terms of reference for the study tour, although a respondent who was involved in organizing the tour recalled that there was a strong focus on social care, which they equated with gender-responsive social assistance. Despite ILSSA receiving support from an international consultant with gender expertise, gender was not an explicit objective of the studies commissioned for the reform. The study methods did not integrate sex-disaggregated data or gender analysis beyond including female and male focus group participants, and gender does not feature in the findings or recommendations.
In contrast, the final consolidated report produced by DP includes some sex-disaggregated data and analysis, for example, on school attendance, labour-force participation, wages and old-age poverty. Although the recommendations do not explicitly highlight gender-responsiveness, they include several elements in line with the life cycle approach that are likely to respond to gendered vulnerabilities and inequalities, including expanded coverage of the social pension, cash transfers for pregnant women and reform of the social care system.

A report produced by UN Women and ILSSA prior to the reform placed a specific focus on social protection and gender. However, this study covers a range of social protection policies, and specific recommendations for social assistance are limited (see Box 3). Moreover, most respondents involved in the policy process had no recollection of this study or the associated workshop that took place in Hanoi in 2015.

**BOX 3: SOCIAL PROTECTION FOR WOMEN AND GIRLS IN VIET NAM – A STUDY BY UN WOMEN AND ILSSA**

The stated goal of the study is to “provide information on women’s and girls’ access to and enjoyment of current social protection policies and to propose recommendations to ensure gender equitable implementation of Resolutions 15 and 70” (UN Women, 2015, p. 10). The study considers a range of policies, including income guarantees and poverty reduction, social insurance, social assistance and basic social services. However, the analysis of the social assistance sector is limited and concludes that current social assistance policies cover the most vulnerable women and girls and that “social support policies have paid special attention to women’s needs” (ibid., pp. 69–70, 93). The specific recommendations for social assistance reform are to increase the benefit levels, incorporate gender-sensitivity into the design, construction and operation of social protection centres (such as protocols to reduce the risk of sexual abuse) and to collect gender-disaggregated data. The report does not elaborate on gender-specific measures for social transfers.

**MASTER PLAN FOR SOCIAL ASSISTANCE REFORM AND DEVELOPMENT/DECISION 488 CONSULTATION PROCESS**

DSA, with the support of UNDP, led an extensive consultation process for the MPSARD that involved multiple workshops at the national, city and province levels, with a wide variety of actors from government ministries, departments and agencies, sociopolitical associations, United Nations agencies and some social organizations. Consultations involved the participation of several actors who had a gender mandate or raised gender-related concerns, including GED, VWU, UNFPA, UN Women, UNICEF, ILO and at least one social organization.

Policy actors who were involved in the consultations had mixed perceptions of the extent to which gender was discussed. Respondents from both MOLISA and United Nations agencies recalled that, while gender was not a distinct focus in any of the workshops, it did form a part of discussions
during the consultations. Table 3 summarizes the (potentially) gender-related recommendations discussed during the workshops, as recalled by respondents. However, some respondents recalled that gender was not substantially considered in the consultation process, suggesting variation in the extent of gender discussion in different workshops or in respondents’ level of interest in gender. The only recommendations adopted into the final MPSARD were those with the most support, extending social assistance to pregnant women and young children, and lowering the age of eligibility for the social pension. No specific reasons were provided by respondents as to why the other recommendations were not included in the policy.

Table 3: Gender-related recommendations discussed during the consultation workshops, as recalled by respondents

<table>
<thead>
<tr>
<th>RECOMMENDATIONS</th>
<th>RECOMMENDED BY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Framing/overall approach</td>
<td>DP</td>
</tr>
<tr>
<td>• Institute a life cycle approach that addresses gendered inequalities and vulnerabilities.</td>
<td></td>
</tr>
<tr>
<td>New beneficiary groups</td>
<td>UNICEF, UNFPA, DP</td>
</tr>
<tr>
<td>• Extend social assistance to pregnant women and young children.</td>
<td>ILO, VWU, UNFPA, DP, social organizations</td>
</tr>
<tr>
<td>• Lower the age of eligibility for the social pension.</td>
<td>DP</td>
</tr>
<tr>
<td>• Extend disability benefits to more women with disabilities.</td>
<td></td>
</tr>
<tr>
<td>Complementary services</td>
<td>UNICEF UNFPA</td>
</tr>
<tr>
<td>• Provide complementary behaviour change communications to improve childcare practices, enhance the “role of the mother in the family” and link women and children to other services.</td>
<td></td>
</tr>
<tr>
<td>• Provide additional support to survivors of gender-based and domestic violence.</td>
<td></td>
</tr>
<tr>
<td>Implementation and monitoring</td>
<td>DP UNICEF GED</td>
</tr>
<tr>
<td>• Develop a professional social workforce.</td>
<td></td>
</tr>
<tr>
<td>• Provide an enhanced role for VWU in community-level social assistance committees.</td>
<td></td>
</tr>
<tr>
<td>• Develop a comprehensive monitoring system that can analyse gender-disaggregated data for different beneficiary groups.</td>
<td></td>
</tr>
</tbody>
</table>

Source: In-depth interviews.
Following approval of the proposal for the MPSARD by the Prime Minister, MOLISA established a core drafting team led by DSA and which included expert consultants (former MOLISA officials) and representatives from other MOLISA departments, including Social Insurance, Legal Affairs and ILSSA. MOLISA also established the wider research committee consisting of technical officials from other MOLISA departments, line ministries and the sociopolitical associations, to provide guidance and comment on the drafts.

Two documents were produced through the drafting process: the MPSARD, a longer technical document that includes analysis of the need for reforms, and Decision 488, a shorter legal document that includes only the key objectives, targets and means of implementation. Following production of an initial draft of the MPSARD, UNDP supported the drafting team in a substantial rewrite resulting in the April 2016 version. The drafting process then included several rounds of technical workshops and written comments involving members of the research committee, external experts, provincial governments and external actors. While VWU, UNDP, UNFPA and UNICEF were closely involved in this process and provided comments directly on the drafts, there is no evidence that GED or UN Women were involved. Throughout the drafting process, the drafting team also held technical consultations among the parties, including with representatives of MOJ and the Ministry of Finance, to complete and supplement the contents and arguments to ensure consistency and that the policy would pass the appraisal process.

Drafting team members recalled that the technical workshops included discussions about gender-related recommendations and the potential gender impacts of all new clauses. One respondent indicated that one of the most important gender-responsive elements of the reform was the inclusion of pregnant women and provision of more support to “women in difficult circumstances”. However, members of the drafting team recalled that no major gender-related changes were made to the text during the drafting process.

A comparison between the 2016 draft and 2017 final versions of the MPSARD shows that few changes were made to the core policy elements during the drafting process. However, some gender-responsive aspects were removed from the conceptual approach to social protection, M&E, specific targets for expansion of social transfers, emergency assistance and social care (see Table 4).
Findings

Table 4: Changes during the drafting process that affected gender-responsive elements of the Master Plan for Social Assistance Reform and Development

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<td>While neither of the two documents explicitly identify roles for social assistance in addressing gendered risks and vulnerabilities, the 2016 draft states gender equality as one of the principles of the social assistance system and contains a detailed explanation of the life cycle approach to social protection, identifying the risks that people encounter in early childhood, school age, youth, working age and old age. It briefly mentions that a systematic, life cycle approach to social assistance should tackle structural vulnerabilities, including those related to gender and age, although this is not elaborated upon further.</td>
<td>In the final approved MPSARD, most references to gender equality and the life cycle have been removed, with only passing references when defining the target populations and general objectives: “People are at risk by life cycle, at risk due to natural disasters, economic, social and other natural risks” (Viet Nam, MOLISA, 2017, p. 32). Decision 488 mentions the life cycle at two points, both of which stipulate that social support should meet humans’ minimum needs in the life cycle.</td>
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| M&E | Effective feedback mechanisms can be a channel through which to integrate gender into social assistance reform. The 2016 draft is most ambitious, envisioning a hotline for beneficiaries and applicants and an improved M&E system including data disaggregated by sex, age, region and other characteristics. | These M&E provisions have been removed from the final version. |

| Social transfers | Targets in the 2016 draft reflect the principles of universality and a rights- and life cycle-based approach to social assistance, emphasizing the goal of universal child benefits and social pensions. More concretely, the 2016 draft includes an initial phase of expanding social assistance to children under 36 months old and a second phase of expansion to children under 6 years of age. Both versions include an extended social pension and benefits for pregnant women. | The wording of targets in the final MPSARD (and Decision 488) is more modest: they anticipate budget constraints and state that poor households, ethnic minority households, and households in remote areas should be prioritized if universal coverage is not affordable. The final version includes only children under 36 months old in the second phase. |

| Emergency | The 2016 draft did not discuss plans for reforming needs-based emergency support. | The 2017 document and Decision 488 envisage enhanced support to the populations experiencing emergencies. |

| Social work | The earlier draft included the professionalization of social work as one of the goals and increased access to services through a combination of training professional social workers and expanding the number of social protection facilities. | The final version only specifies the share of vulnerable people who should, at minimum, receive social services and the professionalization of social work is only mentioned in the narrative section. The more specific, quantitative goals had been removed. |

Source: Authors’ analysis of the draft and final policy documents.

Budget constraints explain the reasons behind some of the changes to expansion targets in the final MPSARD, which are discussed further in the next section on the appraisal process. Respondents did not provide any specific reasons for other changes that occurred. However, one respondent who was closely involved in developing the MPSARD recalled that the earlier, more ambitious draft, was written with substantial input from the UNDP team, who strongly advocated for human rights and life cycle approaches. Some of this content may have been removed by the drafting team as they transformed the document into more accepted legal language, a tendency that was highlighted by some respondents. Some components relating to professionalization of the social workforce appear in Decision 565/2017, which was developed simultaneously by another team within MOLISA. Other
changes may relate to the underlying ideologies of the drafting team, which are explored through RQ3 in section 5.3.

MASTER PLAN FOR SOCIAL ASSISTANCE REFORM AND DEVELOPMENT/DECISION 488 APPRAISAL AND APPROVAL PROCESS

The approval process for Decision 488 involved submission of the draft policy to the appraisal committee chaired by MOJ and with representatives from different line ministries. MOJ ensured that the correct policy process was followed, that the policy was compatible with other laws, and that it did not overlap with existing policies. A GIA was not required for Decision 488 because a prime ministerial decision of this type is not a legal normative document. Following the appraisal, MOLISA was required to make necessary adjustments and to respond to the committee’s report before submitting the final draft policy to the Prime Minister’s Office for approval.

The appraisal process resulted in a narrowing of the proposed reforms, including elements that were potentially gender-responsive. Several ministries on the appraisal committee, including MOF, the Ministry of Planning and Investment (MPI), the Ministry of Home Affairs and the Central Economic Commission, requested MOLISA to reconsider the proposed expansion of social assistance, given the need to balance the State budget. In response, MOLISA maintained the broad categories of vulnerable groups but reduced the age range of eligible children from 0–6 years to under 36 months old. MOLISA also introduced narrower geographic targeting for the new categories of pregnant women, children aged 0–3 years and older persons aged 75–80 years, but with the intention to revert to a universal approach in Phase 3 of the reform, thus limiting the coverage of certain gender-responsive policies in the short term. MOLISA defended the final version to the Prime Minister, citing estimated beneficiary and costings data, and drawing on international and regional comparisons.

5.2.2 Opportunities and actions for gender integration in the formulation of Decree 20

EVIDENCE FOR DECREED 20

Following the legal requirements for formulation of new or updated legal normative documents, the primary source of evidence for Decree 20 was an evaluation of the implementation of the existing social assistance policy, Decree 136. DSA was responsible for the evaluation, which involved provision of a reporting format to sectoral ministries, provinces and the sociopolitical associations, to solicit views on elements of the decree to be amended or supplemented. According to a respondent from DSA, both GED and VWU contributed to the evaluation, but there is no evidence that external actors were involved. According to one MOLISA respondent, beneficiaries and communities were also consulted through surveys and focus groups. Once the evaluation was complete, MOLISA sent a proposal to the Government to reform Decree 136.

The evaluation summary, submitted with the appraisal dossier for the draft decree, does not include any explicitly gender-related content. The recommendations in the evaluation summary reflect some goals of the MPSARD with the potential to address gendered vulnerabilities and inequalities, including expansion of social assistance to more older persons and to children under 36 months old, but it does not include pregnant women. The evaluation also includes a proposal to separate social work centres
Findings from social protection establishments (residential institutions), which one respondent explained as important for protecting vulnerable people in residential care, including survivors of gender-based violence and trafficking.

Several respondents recalled other gender-related recommendations made during the evaluation, including the addition of gender-specific items to the emergency package (for menstrual hygiene) and addressing early marriage among ethnic groups. However, these proposals did not appear in the evaluation summary. Officials from two ministries other than MOLISA mentioned that field visits also formed a part of the evaluation of Decree 136 but recalled that gender concerns were not raised by provincial governments.

“Actually, regarding gender issues in the decree replacing Decree 136, there were not many recommendations given. Through field visits, I realized that the first point they focused on was expanding the coverage by adding social assistance subjects. There was no differentiation between men and women but it focused on those who wanted to benefit from social assistance policies when falling into difficult situations like that.”

– Respondent from a participating ministry

Several respondents cited evidence that was produced by external actors to inform policy construction. The World Bank’s Social Assistance Systems Strengthening Project (SASSP), implemented in collaboration with UNICEF, was intended to support realization of the objectives under Resolution 15 in four provinces. The SASSP incorporated some gender-responsive elements that could have contributed to the policy reforms (see Box 4). However, no independent project evaluation appears to have been carried out, and the one finding from the project completion report that related to gender concluded that, in some localities, there was no consensus in supporting poor pregnant women through social assistance (World Bank, 2021).

**BOX 4: GENDER INTEGRATION IN THE WORLD BANK’S SOCIAL ASSISTANCE SYSTEMS STRENGTHENING PROJECT**

The SASSP was a US$60 million pilot project implemented in four provinces between 2014 and 2019. The project introduced various systems reforms and consolidated several fragmented cash transfers into the single ‘Opportunity Programme’ with the aim of improving development outcomes for children. New beneficiary groups included children under 3 years of age, pregnant women and poor out-of-school children aged 3–15 years. Project development included a gender consultation, and several gender-responsive elements were incorporated into the design, including a communication for development (C4D) component with culture- and gender-responsive strategies and materials, direct provision of transfers to women, engagement with predominantly female local collaborators, gender-responsive training for officials and gender-disaggregated M&E indicators and data.

As part of the pre-drafting process for Decree 20, UNICEF commissioned three studies conducted by Maastricht University. However, none of these focused on or integrated gender. One study looked at how to improve the effectiveness and coverage of social assistance for children through system consolidation (Vanore et al., 2017). While gender was not explicitly integrated into the study objectives or recommendations, the report referenced learning from the World Bank SASSP analysis about the challenges related to including pregnant women as a beneficiary group. A policy note based on the study shared with DSA during the formulation of Decree 20 recognized that social assistance systems should be sensitive to vulnerabilities arising from children’s gender, age, ethnicities and disabilities, but did not incorporate any other gendered analysis and recommendations or include a recommendation to expand social assistance to pregnant women (UNICEF, 2017). Two other studies, conducted jointly by Maastricht University and ILSSA, evaluated the effectiveness of targeting and the implementation process of Decree 136 with implications for introducing child benefits. Two of the three UNICEF-commissioned studies included cost-calculations, microsimulations and fiscal space analyses for different options to roll out transfers to young children (Gassmann et al., 2017; Gassmann, Leopold and Timár, 2020).

**DEGREE 20 CONSULTATION PROCESS**

Decree 20 had a relatively light consultation process since it was based on an existing decree and was already guided by Decision 488. Moreover, in-person consultations were limited due to COVID-19 restrictions. Nevertheless, consultations included several actors with a gender-related mandate or interests, including GED, ILSSA, MOET, VWU (including local VWU representatives), UNICEF, UNFPA and at least one social organization.

Respondents recalled several gender-related recommendations that were discussed during the consultation process. Several United Nations agencies coordinated their engagement and recommendations, which largely reflected the goals of MPSARD: expanding social assistance to older persons aged 75–80 years, children under 3 years of age and pregnant women. VWU also supported the recommendation to include pregnant women on the basis that many women were excluded from formal maternity benefits. However, according to one drafting team member, some ministries and provinces were already suggesting that pregnant women were not necessarily the most vulnerable group. Reflecting the World Bank’s SASSP review findings, a UNICEF official recalled that provincial governments involved in the project may have been reluctant to include pregnant women due to an overlap with Ministry of Health policies.

One drafting team member recalled that VWU recommended expansion of social assistance to more women of working age who were not working and facing difficult circumstances. The respondent reflected on the fact that they tried to mainstream certain subgroups of working-age women in difficult circumstances, including those with disabilities, pregnant women and mothers of young children, and single women with children under 18 years of age. UNFPA advocated for a higher benefit level for older women than for older men because: “…the vulnerability of older women is exaggerated more than men because the saving is much lower, the older women live longer, but their savings and income is much lower than men…” (UNFPA respondent). The respondent did not provide a specific reason why this was not taken up, but implied that it was unlikely to be accepted.
Other gender-related recommendations included covering the costs of day care for children with disabilities to allow parents, predominantly mothers, to work, and the need to understand the gendered experiences of delivery processes and receipt of cash transfers. However, both issues lacked sufficient evidence at the time.

**DECREE 20 DRAFTING PROCESS**

DSA established a drafting team and a wider research committee with members of other ministries, departments and sociopolitical organizations to review drafts and provide comments. Members of the drafting team included the DSA leadership and heads and deputy heads of other key MOLISA departments. The drafting process included a round of comments on an initial draft from at least seven departments of MOLISA, including GED, five other ministries, three other government agencies, two sociopolitical organizations (including VWU) and 24 provinces and cities. DSA then held a series of small group technical meetings to revise the draft, with participation of technical experts and representatives of other ministries depending on the topic of discussion.

Gender advocates, including GED and VWU, were involved in the drafting process, especially during the earlier stages. Throughout the process, DSA engaged in dialogue with other key ministries, including MOF, to ensure that the policy passed the appraisal stage. When the near-final draft was complete, comments and opinions were again gathered from line ministries and provinces, and through MOLISA’s web portal, although a DSA respondent confirmed that none were received through the latter mechanism. Based on the comments, adjustments were made to the draft by DSA and the Legal Affairs Department and reported to the ministry leadership.

A range of different gender-related recommendations were made by government and non-government actors during the drafting process. Both GED and the Ministry of Foreign Affairs (MOFA) noted in writing that DSA should complete the GIA and VWU recommended that the decree should be framed in reference to the Law on Gender Equality and the Law on Domestic Violence Prevention and Control (2007). Interview respondents recalled several other recommendations such as making emergency supplies age- and gender-specific, and a new mechanism to support survivors of domestic violence, trafficking and abuse with higher levels of support and for a longer duration than the current three-month limit. However, none of these recommendations were adopted. In the case of gender-specific emergency supplies, it was decided that a generic package would be maintained at the central level, but that local governments would be provided with the freedom to adapt the support package.

The trajectory of two key policy elements through the drafting process reveals a narrowing of the proposed reforms that resulted in a weakening of the policy’s potential gender-responsiveness.

First, the drafting team had many discussions about expanding social assistance to older persons aged 75–80 years. This was strongly supported by VWU, UNFPA and others since the policy change would disproportionately benefit poor elder women. However, this expansion was opposed by MPI because of a conflict with the Law on the Elderly (2009) and by MOF due to budget constraints. In the end, the new age category was adopted but coverage was scaled back to include only older persons without access to a pension and in disadvantaged areas.
Second, the extension of social assistance to pregnant women received support from several government actors and sociopolitical organizations, including VWU and United Nations agencies. However, the policy appears to have been removed at an early stage in the drafting process. A drafting team member recalled the decision to delegate provision of social assistance for pregnant women to the provinces as an optional, locally funded category until more central resources could be found. Moreover, MOF advised against including both children under 3 years of age and pregnant women, since other policies had recently been adopted to support this group. As noted in the sections on evidence and consultation, there were indications prior to the drafting process that pregnant women were not widely supported at the local level, and UNICEF did not include this recommendation in the policy brief produced specifically for the reform.

**DECREE 20 GENDER IMPACT ASSESSMENT**

Under the Law on Laws, a GIA is required for gender-related legal normative documents. Despite recommendations from GED and MOFA, DSA did not initially conduct the GIA for the draft decree. However, following the initial submission of the draft policy dossier to the appraisal committee, MOJ requested that MOLISA complete the GIA, which was then written by senior leaders of DSA with the support of a consultant and GED. There is no indication that the GIA resulted in any changes to the draft decree. An analysis of the GIA content is provided in relation to RQ4 in section 5.4.

**DECREE 20 APPRAISAL AND APPROVAL PROCESS**

The appraisal process required DSA to prepare a dossier containing the draft policy, a compilation of the comments from sectoral ministries, the evaluation of the previous decree and impact assessments including the GIA. The appraisal committee, chaired by MOJ, included representatives from relevant ministries and a representative of the Vietnamese Association of the Elderly. Unusually for an external agency, UNICEF was invited to defend elements of the policy due to their close involvement throughout the drafting process in advocating for inclusion of new groups of vulnerable children. There is no indication that VWU or GED participated in the appraisal committee.

The focus of the appraisal was on consistency with other laws and policies, beneficiary groups, transfer values and multipliers, and the impact of the policy on the State budget. MOLISA had maintained several new beneficiary categories in the draft policy, including older persons aged 75–80 years, all older persons above 80 years of age, regardless of pension status, all children under 36 months old, abandoned children, children with HIV in non-poor households, orphaned children without foster care and day care for children with severe disabilities. The strong focus on categories of vulnerable children reflects UNICEF’s close involvement throughout the policy drafting process.

During the appraisal committee, MOF recommended limiting the expansion to two categories, older persons aged 75–80 years and children under 36 months old, due to the impact on the national budget. This represented a shift in the position of MOF from several months earlier, when the ministry had recommended not to include children under 36 months old. However, MOJ continued to oppose the inclusion of children under 36 months old as they were not encompassed by the definition of “children with special circumstances” in the Law on Children (2016).
In response to these comments, MOLISA maintained older persons aged 75–80 years and children under 36 months old, defending the proposal based on precedent in other decrees and regional comparisons. However, the expansion was scaled back through narrower targeting to poor and near-poor households in disadvantaged areas. This had the effect of limiting the coverage of policies that would disproportionately benefit women.

Comments of MOJ and other committee members were provided to MOLISA and a written response to the comments was sent along with the dossier and revised draft to the Government Office for review by members of Government, the leaders of sectoral ministries. Nineteen of 26 members recommended issuance of the decree, while four members had additional comments. The Ministers of Justice and Finance proposed not to expand social assistance to any of the new proposed categories. Again, MOLISA defended the new categories based on costings data, international and regional comparison and alignment with the objectives of Resolution 15 and Decision 488, and it maintained the new categories in the final draft sent to the Prime Minister for approval.

5.2.3 Research Question 2: Conclusions

The findings from this study show that the policy formulation processes for the MPSARD/Decision 488 and Decree 20 followed the regulations according to Viet Nam law, including those for gender mainstreaming, and involved participation of key gender actors such as VWU and MOLISA (through GED). However, analysis of the actions and opportunities for gender integration during the policy reform process shows that the gender mainstreaming procedures had little impact on the policies.

- First, despite an extensive and well-funded evidence-generation and knowledge-development process, early opportunities to integrate gender within the evidence were missed. This made it difficult to defend certain policy proposals later in the process, for example, the extension of social transfers to pregnant women.

- Second, extensive and participatory consultations took place and included gender actors. However, gender considerations were not systematically integrated into the pre-drafting and drafting consultations and, beyond the core policy elements, additional gender-relevant recommendation made by a variety of actors had no impact on the content of the policies.

- Third, the GIA for Decree 20 was conducted but had no impact on the policy content.

- Fourth, revisions made during drafting and following the appraisal weakened some potentially gender-responsive elements of the draft policies related to the conceptual approach to social assistance and the relevance of gender, M&E and the number and extent of coverage of new beneficiary groups.

The following sections try to explain why this was the case through analysis of the role of the actors involved (RQ3), institutional factors (RQ4) and the wider policy context (RQ5).
5.3 Ideologies and influence of policy actors involved in the formulation of MPSARD and Decree 20 (Research Question 3)

Following the conceptual framework in section 2, this section analyses the attitudes, beliefs and influence of key actors in relation to gender-responsive social assistance. It first examines the revealed ideologies with regards to four themes: (1) social assistance, (2) gender and vulnerability, (3) the connection between social assistance and gender, and (4) gender mainstreaming for social assistance policies. Then, it discusses the influence that the ideologies and actions of key actors had on the level of gender integration in the social assistance reform.

5.3.1 Ideologies of key policy actors

SOCIAL ASSISTANCE

The formulation of policies is shaped by the ideas that stakeholders hold about their functions and objectives. To elicit the ideological factors underpinning the reform process, respondents were asked questions about their perceptions and preferences for social assistance.

There was uniformity of opinion among policymakers about the core objective of regular social assistance. Social assistance was viewed as a tool for supporting specific categories of vulnerable people who are otherwise unable to meet their basic needs. Government officials (in MOLISA and other government bodies) did not mention poverty reduction or redistribution among the objectives of social assistance, which may be a result of Resolution 15 assigning this goal to another pillar of social policy. According to one of the experts consulted in the reform process, the priority of Decree 20 should be to assist groups of the population who, due to their extremely difficult circumstances, are unlikely to lift themselves above the poverty line.

While there was a shared understanding about the immediate objectives of social assistance, different views coexisted about how that should be achieved. The competing approaches can be conceptualized as tension between the principle of subsidiarity and a preference for universalism. Many officials within DSA were sceptical about the narrow targeting criteria in Decree 20 and saw universal and life cycle-based approaches as more likely to ensure that those most in need are reached. In other words, more inclusive (rather than rigid and narrow) targeting was seen as the way to achieve the objective of social assistance. The question of targeting versus universality appeared to dominate the reform process, with most of the research produced by international partners focusing on whom the new decree should target and how. This may have limited the attention paid to gender issues.

GENDER

Some interview questions were geared towards eliciting respondents’ perspectives on and attitudes towards the concept of gender and how it relates to risk and vulnerability. It became clear that there is no commonly shared definition of the term gender: while some understood it as synonymous with biological sex, others hinted at the role of cultural norms.
Drafting board members, as well as the representative of a sociopolitical organization seemed to hold a more complex view, illustrated by statements such as “gender equality is not only about men versus women”. They listed women among other vulnerable groups, such as older persons, persons with disabilities or children. However, it was not clear whether gender was viewed as a valid dimension of potential risks and challenges on its own, or if it was conceptualized as a factor compounding other vulnerabilities. There is also some evidence that the life cycle approach, which is featured in the MPSARD, was understood as synonymous with an age-sensitive and gender-responsive approach. The limited professional interest in and understanding of gendered risks and vulnerabilities among government officials may explain the gender-neutral text in both drafts and final policies.

Respondents from international and social organizations tended to discuss gender in relation to gendered vulnerabilities that girls and women experience at different ages. In these discussions, respondents often reflected on the norms that shape women’s roles in society as well as in the household. For instance, the reliance of Vietnamese society (and economy) on women’s unpaid domestic and care work was echoed by development partners and representatives of local social organizations.

THE RELEVANCE OF GENDER FOR SOCIAL ASSISTANCE

Although different policy actors perceived gender as relevant for social assistance in various ways, there was no clear pattern among groups of respondents. Most prominent was a connection between the idea of social assistance being for the most vulnerable, and the idea of gender being a factor of vulnerability. Government respondents, who were most likely to adhere to these ideas, saw women experiencing certain life cycle risks (e.g., old age, informal work or pregnancy) as potential target populations for social assistance.

Preferences for the optimal level of gender integration within social assistance policies varied. Government agencies, particularly DSA, MOF and MOJ, saw it as their task to ensure that programmes did not discriminate by gender (or by other characteristics). On the gender integration continuum (see section 5.1), this would fall under gender-neutrality, meaning that they do not consider the potential for unequal access to or impacts of the programmes due to prevailing gender norms and inequalities. United Nations agencies, VWU and non-governmental gender advocates expressed a preference for policies with higher gender-responsiveness levels. The potential for social assistance to directly address the unfavourable consequences of societal gendered inequalities was widely recognized among them. A small number of governmental respondents also pointed this out, specifically in relation to social pensions: they felt that social pensions have a role to play in responding to (but not changing) underlying gendered inequalities.

Despite being the organization officially representing women, VWU was not perceived as a particularly ambitious actor in changing structural inequalities (through social assistance or in general). A respondent from an NGO was under the impression that VWU does not aim for gender-transformative policies; in other words, they support programmes that recognize and respond to women’s needs, but do not want to disrupt societal gender norms and practices (for example, the intrahousehold division of labour).
Overall, with regards to regular social assistance, gender-responsiveness was discussed predominantly in terms of eligibility. When asked about gender-specific issues in the evaluation of Decree 136, several government respondents suggested that the main issues identified were to expand coverage and increase benefit levels. Targeting categories of vulnerable people, regardless of gender, was seen as the ideal approach to social assistance which also ensures that the policy does not discriminate. In some instances, reflections on how to make social assistance more responsive to the needs of gender included the idea of increasing benefit levels for girls and women. This was based on the argument that women tend to be more vulnerable than men.

With regards to social services, respondents from both MOLISA and other government bodies acknowledged the need for different forms of support depending on gender and the specific vulnerabilities that beneficiaries experience. Discussions about social services and emergency assistance signalled the previously mentioned equation of gender and biological sex, as they considered the provision of in-kind support (e.g., sanitary pads) to be gender-responsive.

**GENDER MAINSTREAMING IN SOCIAL ASSISTANCE**

A pattern of seeing ‘gender-neutrality’ or lack of gender discrimination as the goal has emerged in interviews with MOLISA staff. The preference for gender-neutrality was also reflected in their attitudes towards gender mainstreaming. While gender mainstreaming was seen as a useful tool in the policymaking process by most respondents, members of the drafting team did not equivocally find it important with regards to social assistance. Since great emphasis is placed on ensuring that these policies are ‘gender-neutral’ by design, there were mixed opinions about whether a GIA is useful in their formulation. A respondent involved in the drafting process of Decree 20 claimed that it has achieved gender equality by ensuring that eligibility is the same for men and women. A non-governmental respondent shared a sense that officials are “over the Moon” when a policy is found to be ‘gender-neutral’ since it means that detailed attention does not have to be paid to gender mainstreaming. The collection of sex-disaggregated data was not deemed important enough to be included in the Ministry’s activities, despite such recommendations from ILSSA and GED and it being a requirement in the Law on Gender Equality (the availability and use of sex-disaggregated data is discussed further in section 5.4).

Officials from the key oversight ministries also suggested that they believe gender mainstreaming is not always necessary or that ‘gender-neutrality’ is a sufficient outcome. MOF did not appear to be involved in the gender mainstreaming process. According to them, it was not clear whether a GIA is relevant for these policies. MOJ, which was responsible for appraising the dossier for Decree 20 including the GIA, found it sufficient to conclude that the policy was ‘gender-neutral’ and therefore complies with the legal requirements. This signals that government officials may only deem such impact assessments necessary if a policy explicitly deals with gendered inequalities.

Respondents did not elaborate in detail on the reasons why gender mainstreaming is important. This may signal a limited understanding of the value of integrating gender in the (social) policymaking process. A notable exception is GED. They explained that gender mainstreaming is important because it can reveal gendered differences in policy utilization and impact driven by gendered inequalities, which can then be addressed by specific policy action. An example given was the gender-neutral policy on paid holidays for workers: an assessment found that men and women tended to use their
holidays differently due to cultural norms and intrahousehold dynamics. While men were able to travel and use this time for leisure, women were more likely to stay at home and fulfil domestic responsibilities. As the respondent explained, a seemingly ‘gender-neutral’ policy can have different impacts driven by gendered inequalities – something that only evidence can reveal.

Respondents who thought that gender mainstreaming was important also tended to think analytically about the process beyond meeting the procedural requirements for a GIA. The view that gender mainstreaming should start with evidence generation and involve a long, consultative process was shared in interviews with GED, local social organizations, international organizations and one representative of DSA. According to this DSA respondent, although a GIA is one necessary step, mainstreaming gender should be woven through the entire policy process.

5.3.2 Strategic interests

The responsibilities and interests of line ministries influence their actions in the policymaking process. There were a competing set of interests between MOLISA and MOF. MOLISA (and within it, DSA) is the lead agency in charge of social assistance policies. Reforms that strengthen and expand the social assistance system are therefore in its interest. MOF, as the line ministry responsible for the government budget, is interested in safeguarding financial resources. As RQ5 will explain, the formulation of Decree 20 took place during a time of exceptional budgetary pressures. This may have incentivized MOF to practice cost-saving.

As explained in section 5.3.2, respondents noted that the political culture in Viet Nam prefers safe, incremental reform. As the drafting agency, it was MOLISA’s interest to draft policies that were likely to be accepted with little resistance from other governmental agencies. In one interview, it was explained that “…they have a saying from the leaders that if you want to take a reform, you should take a gradual approach” (non-governmental respondent). A respondent who has supported MOLISA throughout the MPSARD process noted that the Ministry tends to request recommendations with different levels of transformative effect: one with minimal impact, one with the highest impact and one in-between. This is due to a high possibility of the most ambitious proposals not being endorsed. A similar experience of aiming for safe proposals with a low likelihood of rejection was mentioned by several respondents both internal and external to MOLISA.

ILSSA, a research body within MOLISA’s organizational structure, participates in the evidence-generation, formulation and revision processes of all MOLISA policies. This organization carries out research related to MOLISA’s mandate, including reviews of their policies. It also contributes to policy by formulating specific recommendations and even drafting certain legal documents. To be able to fulfil their responsibilities, it is within ILSSA’s interests to collect good quality evidence, which includes gender-disaggregated data. However, ILSSA may face a conflict of interest between generating evidence that may reveal shortcomings in MOLISA policies and their attachment to the Ministry (see section 5.4).

During the appraisal process, MOJ was responsible for ensuring that the MPSARD and Decree 20 were congruent with higher-level pieces of legislation. Further, MOJ checks whether all documents required by the Law on Laws are included and acceptable. In the case of Decree 20, MOJ found that no GIA was attached. Hence, they returned the initial dossier to be re-submitted with a GIA.
VWU was often mentioned as the organization responsible for promoting women’s interests, and one respondent felt that VWU has a strong voice with the Party. According to one respondent from VWU, the organization has a crucial role in reviewing draft policies, defined by law. As the national organization representing women’s rights, it is within VWU’s interests to bring women’s issues to the table. They did indeed advocate for the inclusion of migrant women among potential beneficiaries. However, as the organization is not fully independent from political leadership, it may be less ambitious in tackling existing gender norms.

Development partners, particularly United Nations agencies, have well-defined mandates that dictate their interests and the foci of their advocacy. UNICEF were most interested in reform that would contribute to the well-being of children, and hence prioritized their work around child and maternity benefits, as well as improvement of residential care. The evidence base generated by UNICEF leading up to the revision of Decree 136 was geared towards child benefits and included very little analysis of the potential impacts of maternity benefits. This likely signals a very focused advocacy strategy and the decision to favour the inclusion of young children over pregnant women in the new decree. Based on official mandates, promoting gender integration in the reform process would have been of particular interest to UN Women and UNFPA.

### 5.3.3 Influence of key policy actors

Although legal documents describe the formal processes and the responsibilities of different agencies, their de facto influence over policy formulation may be more complex. This subsection maps out the extent to which key actors influenced the content of the social assistance policies, with particular attention to gender integration.

**THE LEAD AGENCY (DEPARTMENT OF SOCIAL ASSISTANCE)**

As the lead agency in charge of the drafting process, MOLISA was the most influential organization in determining the content of the policies. Since MOLISA was responsible for establishing the drafting board and consulting external experts, its involvement was key in selecting whose voices were included in the process. Within MOLISA, DSA’s ideas and strategic interests have influenced the gender-responsiveness of policy documents in various ways. Most notably, the preference for ‘gender-neutrality’ is visible in the non-discriminatory eligibility criteria and the lack of gender-specific provisions in any of the draft documents. DSA’s interest in extending and strengthening social assistance, and the recognition of life cycle risks, is reflected in the newly eligible groups (for example, young children, near-poor single parents and older persons) in the MPSARD and Decree 20. The concept of social assistance as a tool to assist the most vulnerable may partially explain why pregnant women were left out of the final version of Decree 20. Under circumstances of budget constraint, the most vulnerable groups were prioritized but pregnant women were not at the top of this list for some actors. The uncertainty about the importance of gender mainstreaming for social assistance policies is evidenced by the first incomplete GIA for Decree 20.

While ILSSA has attempted to consider gender in its research (through gender-balanced sampling), it has been bound by the existing data infrastructure (see RQ4). Its contribution to the evidence base on gender and social assistance in Viet Nam has received little attention among stakeholders, again limiting the impact of its work in gender mainstreaming. The institute recommended that a
requirement to collect sex-disaggregated data on beneficiaries should be included in the MPSARD, but this suggestion was not fulfilled. In summary, although ILSSA is a key actor in the social assistance policy process, its efforts to integrate gender-specific information have not been realized.

Various respondents, both internal and external to MOLISA, highlighted the role of experts on the drafting board of MPSARD. While the voices of certain external experts on the drafting board appeared strongest in deciding what became part of the MPSARD, not much is known about these experts’ ideas and interests. According to non-governmental respondents, these experts were in favour of a life cycle approach to social protection which is featured in the MPSARD. Their involvement appears to have been much less in Decree 20, which is unsurprising given that the decree is not intended to bring in new ideas, but to continue provisions within Decree 136 while introducing the reforms already outlined in the MPSARD.

DSA demonstrated commitment to improving the social assistance system and increasing coverage of the population targeted for support. The latter is demonstrated by their push to expand the groups eligible for assistance throughout the drafting process of Decree 20. Although MOLISA was not generally perceived by respondents as a power broker compared to other ministries, MOLISA did initially resist some changes to the draft of Decree 20 proposed by MOF. While MOF suggested the reduction of seven new proposed beneficiary groups to three, MOLISA insisted they keep them in the draft decree and appealed to the Prime Minister. While most of the groups were eventually removed, this signals that MOLISA is willing to stand up against proposals from other bodies.

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Other than the drafting agency, MOLISA, respondents tended to think that MOF had the greatest influence in both policy processes and that no proposal would be approved unless MOF agreed to it. The strong voice of MOF was also highlighted by the development partners involved in the social assistance reform (i.e., UNICEF, UNFPA and ILO). In the case of the MPSARD, MOLISA initially envisaged universal social pensions and child benefits. It was MOF’s intervention that resulted in the plan of gradually moving towards universality with targeted benefits in the first periods and achieving universality later. In the case of Decree 20, as the MOF respondent explained, the Ministry had a greater than usual involvement in the drafting process. While MOF normally only participates in financial discussions, due to the large expansion proposed in Decree 20, MOF and MOLISA also consulted on which groups to include or exclude. The respondents explained that MOLISA proposed seven new categories of beneficiaries to be added to the decree. The negotiations around these categories were rather lengthy, with MOF initially suggesting only the expansion of the social pension and the addition of HIV-infected children. MOLISA resisted this suggestion and kept all seven categories in the second draft. However, five of them were removed during the final round of negotiations before the draft was forwarded for signing.

Although MOF would have preferred to follow the targets outlined in the MPSARD, they could not do so due to the pressure caused by COVID-19 on the government budget. Pregnant women were excluded from the proposed newly eligible groups for social assistance transfers early in the negotiations. MOF’s action thus put a stop to a gender-responsive element of Decree 20. However, its intervention was not dictated by a resistance to gender integration, but by a combination of finite resources and prioritization of the most vulnerable groups.

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MOJ influenced the social pension element by pointing out an inconsistency between the draft of Decree 20 and the Law on the Elderly (this instance is discussed in more detail in section 5.5). MOJ’s role was thus important in the gender mainstreaming process by ensuring that the GIA was completed. However, it did not influence the depth of the GIA (and thus, the gender-responsiveness of the policies) beyond what is required by law.

INTERNATIONAL ORGANIZATIONS

While the influence of international organizations was greatest throughout the evidence-generation and consultation processes, some were also active in the drafting stage. In addition, certain United Nations agencies, particularly UNFPA and UNICEF, engaged in dialogue with higher-level officials to ensure that their recommendations remained in the draft and would be accepted at the appraisal stage.

Interviews with DSA revealed that it perceived the support of UNICEF, UNDP, ILO and UNFPA as essential to the reform process. UNDP had great influence, particularly in Decision 488. The study tour that it organized remains a memorable experience for officials involved in drafting the MPSARD and seems to have initiated lasting change in their mindsets about social assistance and social services. For example, the approach to social assistance as an investment in people seems to have spread among MOLISA officials due to UNDP’s involvement. The evidence base commissioned and organized by UNDP also highlighted opportunities for the reform that were later addressed.

In addition, the high risk of old-age poverty, particularly among women, was pointed out in these studies, suggesting that UNDP played an important role in addressing a gendered risk. This is despite the fact that UNDP did not focus on gender, nor did it directly advocate for gendered risks and vulnerabilities to be considered in the reform.

In the consultations and evidence generation leading up to Decree 20, the influence of UNICEF seems to have been strongest. Years before the official drafting of Decree 20, it began commissioning studies on the gaps in Decree 136 and advocating for the extended coverage of children. The inclusion of young children in Decree 20 is a result of this strong advocacy work. However, the influence of UNICEF was also limited. Although it successfully advocated with MOLISA to include children without parental care in the new decree, this proposal was rejected by MOF. Overall, while UNICEF’s advocacy work focused on children, in line with its mandate, it also contributed to advances in gender equality.

Respondents also spoke about the influence of ILO and UNFPA, both of which were involved mostly in the pension components of the social protection reform. While both organizations advocated for reform elements that would address some labour-market-related gender inequities in Viet Nam, these considerations were considered more strongly on the social insurance side. UNFPA appears to have been the strongest gender advocate among United Nations organizations, as it was the only one to use a narrative of gender equality throughout its advocacy work. One of the government respondents involved in drafting Decree 20 saw UNICEF and UNFPA as the most important partners in the process:
“Two of the most strongly committed organizations to the Vietnamese Government were UNICEF and UNFPA. As representatives of the UN, they were very supportive of the Vietnamese Government, in general, and MOLISA, in particular, in formulating Decision 488 and Decree 20. Never had there been any other organizations that provided such detailed assessments and analyses of beneficiary groups for the Vietnamese Government.”

– Government respondent

UN Women, despite being the United Nations agency with the strongest mandate around gender equality, did not appear influential in the social assistance reform. As mentioned before, UN Women (together with ILSSA) published a comprehensive report on gender and social protection in the country, which most respondents were not familiar with.

Although governmental respondents did not mention the World Bank as often as the United Nations partners listed above, it also had specific influence resulting in the reform of the payment delivery system introduced with Decree 20 (see RQ2). The World Bank implemented e-payment mechanism pilot projects and used the evidence to convince MOLISA that such delivery mechanisms would be both feasible and useful for social assistance. Interestingly, although the respondent from the World Bank clearly saw this as a component with high relevance for gendered inequalities, they did not use gender-related arguments when making the case for e-payments. In addition, no interviewed stakeholders (other than the World Bank) mentioned this element of Decree 20 as relevant for gender-responsive social assistance. Once again, this has been an important achievement in promoting women’s access to economic resources, but gendered considerations were not the main driver behind it. One respondent involved in the SASSP expressed that the project was not as influential as it could have been due to a lack of ownership from the central Government.

GENDER ADVOCATES

While gender advocates (actors with a gender mandate), including GED, VWU and social organizations participated in reform process, several respondents felt that their involvement was somewhat superficial. It was noted that their recommendations were not given due consideration. Whether this was a result of insufficient political commitment to mainstreaming gender in the reform, or a result of weak evidence or advocacy, was not clear.

In the Vietnamese policymaking arena, MOLISA is an important player in gender mainstreaming since it hosts GED. Yet, in the drafting of social assistance policies, GED did not appear to have a powerful voice. It did not participate in the MPSARD process and had relatively light engagement in the drafting of Decree 20. Its feedback on the draft policy and the GIA focused on ensuring the lack of discrimination in eligibility. As discussed in section 5.4, this low level of engagement may be due, in part, to a shortage of personnel.

While VWU participated in the drafting of and consultations around Decree 20, respondents seemed to have divergent opinions about its power and influence. As discussed in section 5.2, VWU was rather active in the process for Decree 20 and made suggestions to include pregnant women and female labour migrants in the policy. Yet, neither of these recommendations were taken on board. This is likely due to the Government’s preference to support the most vulnerable groups of the population. It also suggests that VWU’s influence in determining the contents of policies is limited. The notion
that VWU has a weaker voice than other stakeholders (ministries) was echoed by more respondents. This could potentially explain why the active engagement of VWU in Decree 20 (compared to the MPSARD) did not translate to a higher level of gender mainstreaming in the policy.

Social organizations focusing on women’s rights and gender equality had not been invited to influence the reform process. Social organizations and gender advocates felt that more could be done to involve their voices and expertise in gender mainstreaming, and that they should receive more opportunities to influence the policy process with a gendered lens.

5.3.4 Research Question 3: Conclusions

Various organizations took part in developing the social assistance policies. Their ideas and interests influenced the process and reflect the level of gender-responsiveness of the final policy texts. Most prominently, there is a widespread preference among government actors for non-discrimination in social assistance based on the assumption that it is a ‘gender-neutral’ policy area, without recognizing the potential for unequal access to or impacts of the programmes due to prevailing gender norms and inequalities. Few actors involved in the policy process advocated for elements that could be considered higher on the gender integration continuum and no one contributed gender-transformative ideas. Organizations with higher vested interests in gender integration either did not participate extensively in the process (e.g., UN Women), actively engaged but did not exert great influence on the policies (e.g., VWU) or prioritized other strategic interests (e.g., UNICEF).

Some strategic interests and actions that impacted the gender-responsiveness of the final policies were not based on or framed with considerations of gender. For example, MOF’s interest in cost-saving resulted in the elimination of potentially gender-relevant beneficiary categories without gender-related intentions. Another example is e-payments: while no gender-related arguments were presented for this change in administrative procedures, it may have positive implications for women’s lesser access to economic resources.

5.4 Institutional factors and norms that affected gender integration in the formulation of Master Plan for Social Assistance Reform and Development and Decree 20 (Research Question 4)

The conceptual framework in section 2 recognizes that institutional norms and factors may enhance or constrain the ability of actors to integrate gender into the policy reforms. The analysis in this section first focuses on the policy process; specifically, how the ways in which policymakers understood and implemented gender mainstreaming enabled or constrained gender integration. The analysis then focuses on how the availability of financial, evidence, human and technical resources enabled or constrained gender integration.
5.4.1 Policymakers’ understanding and implementation of gender mainstreaming in the policy process

RECOGNITION OF AND ADHERENCE TO GENDER MAINSTREAMING REQUIREMENTS

Most policymakers involved in the formulation of MPSARD and Decree 20 recognized the need to follow gender mainstreaming requirements according to the Law on Gender Equality and the Law on Laws. Members of the drafting team recalled that, in their view, gender mainstreaming had been correctly applied to the MPSARD and Decree 20, including consultation with gender agencies and, for Decree 20, conducting the GIA. They believed that gender had been well integrated in the policies, citing gender balance in survey and focus group sampling for the evaluation of Decree 136, and gender-disaggregated analysis provided by United Nations agencies. Several government officials noted that both VWU and MOLISA (through GED) have a statutory right to participate in the policymaking process and that drafting agencies have an obligation to consider and respond to opinions from these two organizations.

Officials from the drafting team, gender agencies and other ministries noted that the Law on Laws specifies that gender mainstreaming is only applicable to policies that address gender issues. This perhaps reflects the prevailing norm in Viet Nam that gender is a discreet issue to be addressed in gender-specific policies rather than an issue that is integral to all laws and policies (see section 5.3). However, as noted in section 4.3, no guidance is provided in the Law on Laws or its related decrees on how to identify gender-related policies. This lack of specificity in the law means that, in the first instance, the drafting agency has the discretion to decide whether a policy is gender-related or not. Respondents from both within and outside the Government noted that the extent to which gender integration occurs depends on the drafting team’s understanding of and level of commitment to gender. A VWU official noted that there were times when they were not consulted as they were told the policy did not have gender implications.

“In fact, for the agencies who have good awareness, they will always invite Women Union [VWU] to join the research team and drafting boards. But there are still cases that they don’t recognize this and we still have to be patient.”

– VWU official

This presumption that a policy is not relevant to gender equality may be the reason why the GIA was not initially conducted for Decree 20. Nevertheless, the fact that MOJ requested the GIA to be completed following submission of the policy dossier for appraisal shows that certain checks and balances for gender mainstreaming are effective.

Gender mainstreaming requirements also vary depending on policy type. Most notably in relation to the social assistance policy reform, a GIA was not conducted for Decision 488 as it is not a legal normative document. This represents a missed opportunity to enhance the gender-responsiveness of the central guiding policy for the social assistance reform. Moreover, several respondents noted that, compared to decisions and decrees, gender mainstreaming is more strongly embedded in the process for formulating new laws, including scrutiny of gender integration by the National Assembly. When providing examples of successful gender mainstreaming, respondents tended to cite policies other

GENDER REPRESENTATION AND EXPERTISE IN THE DRAFTING PROCESS

Another legal requirement for gender mainstreaming is to aim for gender balance within the drafting teams. Several respondents recognized that this is often not achieved in practice, which leads to underrepresentation of women’s voices. However, members of the drafting team recalled that many female experts and representatives participated in the formulation process for Decision 488 and Decree 20. The official list of members of the research committees for Decision 488 and Decree 20 shows that women constituted just over 40 per cent of members in both cases, and that women made up just over 50 per cent of the core drafting team for Decision 488. However, one MOLISA official expressed the view that awareness of gender issues was more important for gender integration than whether drafting team members were men or women.

The analysis in section 5.2 has shown that gender experts participated in several stages of the policy formulation process for Decision 488 and Decree 20. In general, members of the drafting team perceived there to be ample opportunity to raise gender issues during consultations and drafting. A social organization representative observed that the Government had become more active in inviting social organizations to participate in policy formulation processes and in consideration of gender issues and gender equality, suggesting some improvement in recent years. However, respondents from multiple MOLISA departments did not recall gender being a major focus of the consultations and several gender advocates perceived that the consultation workshops lacked sufficient depth, with limited opportunity for interactive discussion when gender issues were raised.

Other concerns were expressed about the lack of participation by gender experts throughout the whole policy process, particularly in the later stages, and the absence of gender experts within the drafting teams. A MOLISA official recalled that some key gender advocates felt excluded from the drafting process, as the drafting team did not place sufficient importance on the issue of gender. As described in section 4.3, the drafting board is responsible for ensuring that VWU and other State agencies with a mandate for gender equality participate in the drafting process. However, another respondent recalled that while VWU participated in some drafting meetings, it was difficult to influence the drafting team once the first draft was complete. This was confirmed by members of the drafting team who recalled that no major gender-related changes were made to the text during the drafting process since, in their view, lessons had been learned from the evaluation of Decree 136 and gender had already been considered during the consultation stage and incorporated into the first draft. These views suggest that the extent to which gender experts can consistently and meaningfully participate in the process depends on the attitudes of drafting team members towards gender and gender mainstreaming.

GENDER IMPACT ASSESSMENT

Several respondents from both within and outside MOLISA were critical of the GIA, perceiving it to be a formality with insufficient scientific evidence and analysis to assess the gendered impacts of the policy. While some external and government respondents, including a member of the drafting team, put this down to a lack of awareness about gender equality and appropriate expertise in “identifying
and determining gender aspects”, others suggested that the drafting agency often lacks interest in the assessment and that the GIA is used to justify non-discrimination rather than to demonstrate gender-responsiveness. This view aligns with the finding (detailed in section 5.3) that there is a prevalent view, particularly among government policymakers, of social assistance as a ‘gender-neutral’ policy area. Analysis of the GIA content for Decree 20 supports this conclusion (see Box 5).

**BOX 5: ANALYSIS OF THE GENDER IMPACT ASSESSMENT FOR DECREE 20**

The GIA for Decree 20 identifies aspects of the policy process that complied with legal requirements for gender mainstreaming, including participation of women in the policy process, gender equality and mainstreaming training, and research to assess gender impacts.

“The establishment of the Research Committee...[included] female members of the Drafting Committee from ministries, sectors and organizations representing beneficiaries of social assistance policies. Most of the members of the Drafting Committee and the Editorial Team have been trained on gender equality, gender mainstreaming in lawmaking and have many years of experience in legislative and regulatory activities in the field of social assistance.

Organizing research to assess the impact of policy solutions, including gender impacts in the draft decree; organize surveys, seminars, consultation workshops for those directly affected by the policy solutions in the draft decree at central and local levels, including: representatives of beneficiaries social assistance policies (male and female), social assistance staff, representatives of state management agencies at central and local levels, those would be responsible for organizing the implementation of the Decree” (Viet Nam, MOLISA, 2020).

Adherence to gender equality in the contents of the draft policy is largely justified based on non-discrimination. The GIA identifies that there is no gender discrimination in stipulating groups of beneficiaries because “the content of these policy groups does not distinguish between men and women, and there is no distinction in the design of beneficiary conditions and benefit levels in each article of the decree” (Viet Nam, MOLISA, 2020).

One potentially more gender-sensitive element of the policy identified in the GIA is that persons with disabilities who receive social assistance are provided with additional support when pregnant or when raising children under 36 months old. However, this additional support is through the provisions of Decree 28/2012/ND-CP and not Decree 20 itself.

The GIA also identifies that there is no discrimination in the implementation procedures for social assistance policies, highlighting that “the Social Assistance Review Board...does not distinguish between male and female beneficiaries’ papers and application” and that “the [beneficiary] dossiers and declaration templates are neutral of gender.”
There are other questions surrounding the timing and purpose of the GIA. Current legislations require that the assessment of gender issues is submitted to the appraisal committee. However, a gender agency official argued that there is a structural problem with the process: to influence the content of the policy, the GIA should be completed at an earlier stage when other potential policy impacts are considered. This issue of timing was echoed by a member of the drafting team who pointed out that gender mainstreaming in Decision 488 and Decree 20 would have been more effective had they developed a specific plan with recommendations at the needs-identification stage.

**ACCOUNTABILITY FOR GENDER IN THE APPRAISAL PROCESS**

Several respondents raised concerns about the limited attention paid to gender during the appraisal process. While there is an obligation for the appraisal committee to request State agencies responsible for gender equality to evaluate a draft policy (Decree 48/2009) and gender experts can be invited to the appraisal, there is no requirement for them to be represented on the appraisal committee. A gender agency official noted that, as with the drafting team, the level of concern for gender during policy appraisal relies on the level of interest and commitment of appraisal committee members. A respondent from an external agency was concerned that the process itself may systematically undermine gender integration: as the policy text moves from drafting to appraisal, gender-related content tends to be erased because each actor takes only a narrow view according to their expertise and does not consider the policy holistically.

**5.4.2 Availability of organizational resources for gender mainstreaming**

**EVIDENCE AND DATA**

Policymakers from several ministries expressed the importance of evidence-based policy. Respondents recalled that several new policy proposals were reportedly rejected due to insufficient evidence. For example, speaking of the proposal to expand social assistance to pregnant women, one drafting team member recalled that “there was no solid foundation or specific assessment”. Respondents from United Nations agencies who were active in lobbying for policy reforms confirm that government officials place importance on evidence-based policy.

Gender advocates stressed that sex-disaggregated data was a prerequisite to carry out gender analysis and to assess the gendered impacts of policy recommendations prior to policy formulation. However, most respondents perceived that a lack of sex-disaggregated data was a key barrier to developing more gender-responsive social assistance policies. For example, a respondent from a gender-focused agency suggested that those conducting the evaluation of Decree 136 did not have sufficient evidence to assess gender needs in relation to policy implementation; proposals were made to improve access to transfer payments in general, but there was no deeper analysis to understand how female beneficiaries may be excluded.

In Viet Nam, ministries are required by law to collect sex-disaggregated data for policies and programmes. However, several respondents stated that this is often not done in practice. In the case of the social assistance programmes, sex-disaggregated data is collected at the local level but is not compiled centrally, as the management information system (MIS) is still largely paper-based. One external gender expert was particularly critical of MOLISA for failing to do this, given
their responsibility for gender equality, including the implementation of the Law on Gender Equality. However, the experience of other departments shows that this is not an insurmountable problem. The Child Affairs and Social Insurance Departments, both within MOLISA, have digitized MISs that collect sex-disaggregated data.

Some respondents suggested that there are other barriers to the use of sex-disaggregated data and gender-specific analysis. Several external actors highlighted that sex-disaggregated population and survey data are available from GSO. However, a MOLISA official suggested that even though some sex-disaggregated data are available, there is no demand for it from policymakers and that MOLISA’s own research institute tends to overlook gender in surveys and studies. A non-governmental respondent suggested that the State research institute does not engage in gender analysis since their studies serve to illustrate the effectiveness of policies more than to identify their shortcomings. They also point out that there are sometimes restrictions on independent researchers who investigate poverty and social problems. The limited incidents of sex-disaggregated analysis in evidence produced for the social assistance reform were provided by international organizations.

FINANCIAL RESOURCES FOR GENDER MAINSTREAMING

Several respondents from within MOLISA identified the lack of adequate financial resources for policymaking processes and gender mainstreaming. The amount provided by the Government is insufficient and lead agencies must prioritize when deciding how to use these funds. Gender mainstreaming activities such as engaging external expertise for consultation or to conduct gender impact assessments are low-priority.

“The maximum amount to be funded by the State budget is VND 60 million (about US$2,500). VND 60 million to develop a decree, organize meetings, prepare in-depth documents and invite experts for in-depth assessments is almost impossible. Therefore, GIAs are still made but mainly by the officers in charge of developing the Decree themselves. Because the assessments are made by the officers without technical support, the quality does not meet the expectation.”

– Drafting team member

Additional resources for policymaking processes often come from international organizations. UNDP provided substantial funding for the development of the MPSARD, and UNICEF supported Decree 20. Other organizations provided technical expertise and evidence. However, whether these resources enable gender mainstreaming depends on the interests of the donor agencies. Neither UNDP nor UNICEF placed a strong focus on gender in the policy reforms. In contrast, a MOLISA official recalls that ILO, UN Women and the Australian Government supported development of the Labour Code and had a strong interest in gender. A social organization respondent perceives resources from international organizations for gender mainstreaming to have declined in recent years.

AVAILABILITY AND LEVEL OF GENDER EXPERTISE

Respondents from MOLISA, other ministries, gender agencies and external organizations all recognized that departments responsible for policy formulation do not generally have staff with gender expertise. According to one MOLISA official, this means that the policy is often assumed to be
unrelated to gender and gender mainstreaming does not occur. A gender agency official emphasized that drafting teams do not have sufficient knowledge, awareness or experience to understand how a policy may affect different groups. Other respondents noted that even if gender-related issues are identified, no one has the skills to conduct a gender analysis or to identify solutions. Given the lack of resources to hire gender expertise and limited capacity of GED (see below), GIAs are often written by members of the lead agency who treat it as a formality rather than a genuine attempt to assess the gendered impacts of the policy.

GED is mandated to support drafting agencies in gender mainstreaming. However, MOLISA officials pointed out that GED has only 10 or 11 members of staff who must engage with new laws and policies across all government ministries and departments. Similarly, a VWU official noted that, while VWU has been increasing its level of participation in policy formulation, it does not have the capacity to engage in all policies and must prioritize. This means, for example, focusing on decrees, which are specific realizations of laws, rather than decisions, despite the latter’s key role in shaping policy goals and objectives. A social organization respondent perceived that some GED officials are underqualified to support gender mainstreaming and that there is a shortage of gender practitioners in Viet Nam in general. Some government officials recognized that gender integration is better when expert support is provided through international organizations. However, two external respondents recognized that not all international agencies have the necessary gender expertise and do not necessarily prioritize gender within the policy process.

Overall, the low level of gender expertise among policymakers and the limited number of gender specialists creates challenges, even when they do work together. As one respondent from a gender agency pointed out, lawmakers are experts in their field but do not have gender expertise, while the limited number of gender experts are not knowledgeable about all areas of public policy.

“It poses a huge challenge because the [drafting] board needs to find highly qualified gender experts. There are gender experts available, but those who are knowledgeable about a specific area [of policy] are not many, as it requires a deep understanding of an area, for example health or technical fields.”

– Gender agency official

Another respondent from within MOLISA who demonstrated substantial knowledge of gender issues in general highlighted the challenge of integrating gender into social protection policy.

“I understand that gender inequality should be considered in social protection, but how we do that is really very, very difficult for me right now, you know. And now we are prepared to… [formulate] a new resolution for our social protection of Viet Nam in the next decade. And I also think about how to integrate gender and gender inequality into this. But… our team have not identified any useful or effective way to do that.”

– MOLISA official

GUIDELINES AND TRAINING FOR GENDER MAINSTREAMING

One of the gender mainstreaming requirements is that policy drafting board members receive training on gender equality. GED is responsible for providing training on both gender equality and gender
A MOLISA official explained that there was a greater focus on gender mainstreaming 10 years ago, when the Law on Gender Equality and related decrees and national strategies were introduced. More recently, the focus has been on more specific gender issues such as gender-based violence. However, no training has been developed on gender and social assistance. A GED official also observed that, while policy officers and specialists participate in gender training, ministry leaders do not. This may reflect a lack of senior-level commitment to gender or a general reluctance of senior leaders to participate in training with (or conducted by) more junior officials.

MOJ also provides training on gender mainstreaming, including the process for a GIA. However, the extent to which officials have received training appears mixed. An official from another social ministry who was a member of the research committee confirmed that they had received multiple training sessions on gender. In contrast, a member of the appraisal committee for Decree 20 had not received any training on gender, explaining that their ministry was not concerned with gender issues.

Respondents highlighted several documents that provide guidance on gender mainstreaming such as decrees and circulars, guidance from NCFAW and a guidance document on policy impact assessments, including for gender, developed by MOJ with support of the United States Agency for International Development (USAID) (see Box 6). However, several respondents explained that most of these documents do not provide adequate guidance to implement gender mainstreaming and GIAs in practice.

In 2021, the German Agency for International Cooperation (GIZ) and MOLISA published two detailed guidance documents on how to conduct impact assessments, including on gender. However, these were published after Decree 20 was finalized, and no training has been carried out on their content at the time of writing this report. A further constraint is that since the introduction of new gender mainstreaming regulations in the Law on Laws, GED has not been provided with the resources to update written guidelines on how to implement the procedures.

**BOX 6: SUMMARY OF THE GUIDELINES ON GENDER IMPACT ASSESSMENTS IN THE POLICY IMPACT ASSESSMENT MANUAL**

The Ministry of Justice, with the support of USAID, developed the Policy Impact Assessment Manual to supplement the regulations and more general guidance provided in Article 35 of the Law on Laws (2015, amended in 2020) and Decree 34/2016. The manual provides guidance on the procedures, steps, skills, methods and tools used in the policy impact assessment process, including for the GIA.

The manual defines gender equality in relation to both rights and policy access. Drawing on the Law on Gender Equality and the Law on Laws, it specifies that a GIA is only required in the case of policy measures specifically designed to address gender issues; otherwise, gender assessment should be integrated within social and economic assessments. The guidance states that the GIA should assess not only the legal equality (non-discrimination) of the policy but also whether the policy has a positive impact on gender equality based on an understanding of the underlying causes. Gender assessment of the policy should consider:
• Identification of gender inequalities and their underlying causes
• How the policy aims to address these issues
• What impact the policy will have on rights and access to policy benefits for each gender
• Comparative gender impacts with other policy options
• Any necessary legal, administrative or financial conditions to achieve the outcomes

A range of methods are proposed for conducting the GIA, including primary qualitative data collection, and sex-disaggregated data is required to conduct integrated analyses within the social and economic assessments.

Source: MOJ and USAID (2018)

5.4.3 Research Question 4: Conclusions

Viet Nam’s gender mainstreaming mechanisms are codified in the Law on Gender Equality and the Law on Laws and related decrees. They provide an important basis for the integration of gender in policy formulation. However, this study has found that the need for greater consistency in the laws and regulations and how they are interpreted and implemented by policymakers, and the limited resources available, resulted in a largely procedural and superficial application of gender mainstreaming in the social assistance reform.

• First, the formulation of current laws governing gender mainstreaming mean that the regulations are not consistently applied across policy types and sectors. Gender mainstreaming (including the GIA) is only applicable to legal normative documents that are “related to gender”, and important guiding policies, such as certain prime ministerial decisions, are not legal normative documents, and are not subject to certain gender mainstreaming requirements.

• Second, interpretation and implementation of gender mainstreaming procedures by policymakers is shaped by their underlying ideologies the (perceived) importance and relevance of gender to their policy area. As such, the common perception of social assistance as ‘gender-neutral’ means that gender mainstreaming procedures are either not applied (given the lack of guidance in the law on which policies are related to gender) or that gender analysis focuses on demonstration of non-discrimination rather than on understanding the impacts of the policies on gendered vulnerability and inequality and the formulation of more gender-responsive or transformative policy design.

• Third, the application of gender mainstreaming regulations is further undermined by the low level of available resources. This includes the lack of earmarked financial resources to support gender research, analysis and consultation; the lack of demand for gender-disaggregated data and evidence; the low number of gender experts both within and outside the Government, especially
those with knowledge of social assistance and the policy process; and the limited availability of technical guidance and training, especially in relation to gender and social assistance.

The following section explores how wider contextual factors may also have shaped the application of gender mainstreaming regulations and gender integration in the policy formulation process.

5.5 The role of context in shaping gender integration in the social assistance reform (Research Question 5)

The conceptual framework in section 2 recognizes that wider contextual factors will shape the institutional norms and factors, and the role of actors in integrated gender thorough the policy formulation process. This question examines the legal, political and economic contexts in which social assistance operates and in which the policy reforms took place.

5.5.1 The broader context of the reform

Viet Nam has undergone extensive social and economic transformation in the late twentieth and early twenty-first centuries. Many of the documents analysed in this study contain an introduction or preamble that describes the context and rationale for social assistance reform. The social and economic transformation (“doi moi” in Vietnamese) that Viet Nam has embarked upon in recent decades has been mentioned in these texts (for example, in the project documents for the MPSARD and the implementation review of Decree 136) as the driver of change in both living standards and the need for social assistance. It appears that a growing recognition for social assistance policy is present not only within MOLISA, but also in the wider leadership of the country, from the central to the local level. For instance, the review of Decree 136 states:

“During the reform process, transitioning to a socialist-oriented, market-orientation economy and further international integration, the Party’s awareness and views on social assistance have become increasingly clear, consistent with the view to ensure economic growth associated with social progressive and social justice.”

The social and economic transformation have thus created an opportune scenario for the reform of social policies in general and social assistance more specifically.

According to respondents from various fields, the country’s transformation has also brought about changes in the situation of women and the public perception of some of the risks they face. A MOLISA official perceived changes in the amount of attention paid to gender in governance. Moreover, the inequalities faced by ethnic minorities have gained considerable attention in the past decade, meaning that gendered risks and violence (such as early marriage, pregnancy and human trafficking) that most often affect ethnic minority populations have been increasingly discussed. Mass media has also paid more attention to issues of domestic violence, human trafficking, prostitution and the sometimes-dire situation of female labour migrants. While this growing attention may not have directly been reflected in social assistance policies, it has likely contributed to the overarching policy framework being more enabling of gender mainstreaming, for example, with the enactment of NSGEs or the legal requirements to mainstream gender in new policies.
The situation of women in the labour market has clearly received attention from both the Government and its development partners. For example, the Labour Code was recently reformed with ample discussions about women’s retirement age, social insurance coverage and their prohibition from professions that are deemed risky or hazardous. As explained in the previous section, this increased recognition for women’s position in the labour market, coupled with stronger legal provisions for lawmaking (compared to by-laws), resulted in more impactful gender mainstreaming in the Labour Code.

As in the rest of the world, the COVID-19 pandemic has affected the Vietnamese society and economy to a great extent. The pandemic has also had consequences for the social assistance reform, particularly for the formulation process of Decree 20, which coincided with the lockdown and social distancing measures. COVID-19 has affected the process in two ways. First, it created a more constrained fiscal context with growing competition for funds, even within the broad area of social assistance. The Government approved emergency support packages for employers and employees affected by the social distancing measures, which, according to respondents, diverted some of the funding intended for Decree 20. An informant from MOF has indicated this budgeting issue as the reason for not following the MPSARD’s targets and including pregnant women among the new beneficiary groups. Second, the pandemic has directly affected the process itself. While the lead agency normally holds workshops early in the formulation process to collect stakeholders’ opinions, this step was skipped due to distancing measures. While it is impossible to tell whether these workshops would have impacted the gender mainstreaming of Decree 20, it is reasonable to view this as a missed opportunity for discussing the gender-responsiveness of the new policy.

5.5.2 The legal context

Section 4.4 has already described the policy framework of social assistance, including the legal normative documents guiding policy formulation and implementation, and the specific targets related to social assistance from State strategic documents. There are, however, laws and policies beyond the scope of social assistance that have influenced the direction and magnitude of reform.

In the context of Viet Nam, new policies should be aligned with the agenda of the Communist Party and the Government, as well as the existing legal framework. This means that the existing legal and strategic framework determined the direction that reforms could take. According to a respondent from MOLISA, the direction of resolutions and target programmes is also considered early in the drafting process. Respondents from both MOLISA and United Nations agencies recalled that gender was a deliberate topic of discussion during consultations for Resolution 15. However, the clauses in the resolution related to social assistance reform have limited detail and no gender-related goals or content. The limited integration of gender in Resolution 15 may have carried over to the MPSARD and Decree 20.

To ensure harmony within the legal framework, the MPSARD and Decree 20 were also bound by existing legal normative documents, particularly those higher in the legal hierarchy (laws and decisions). Although it is the appraising committee’s responsibility to ensure such harmony, the drafting board makes proposals with these limitations already in mind. Several respondents cited an instance in which the legal framework impacted a gender-relevant reform component: cash transfers
for older persons. Due to conflict with article 17 of the Law on the Elderly, stricter targeting had to be prescribed for the 75–80 age group.

Laws and policies on gender mainstreaming affect the formulation of legal normative documents in all sectors. Several respondents felt that the prescriptions in the Law on Gender Equality and the Law on Laws do not provide sufficiently clear guidance on when and how to conduct gender mainstreaming. As a member of the drafting board put it:

“…this guidance was still quite broad, so the process of gender mainstreaming in policy formulation and implementation in Viet Nam at that time was still quite vague. So, there was gender mainstreaming, but how it was mainstreamed, or whether it complied with the regulations, there was no clear standard or criteria.”

– Drafting board member

As discussed in relation to RQ3 and RQ4, the vague provisions created a situation in which stakeholders’ own perceptions about what constitutes gender in relation to social assistance dictated the extent to which gender was considered.

5.5.2 Political momentum for gender mainstreaming and social assistance

Respondents felt that attention paid to gender mainstreaming has been increasing over time. Within the timeline of social assistance reform, starting from Resolution 15, interviewees experienced a positive trend. During the drafting of Resolution 15, gender was considered to some extent. Respondents from the drafting board, international organizations and gender advocates also observed a salient contrast between the MPSARD and Decree 20 processes, with more awareness and recognition for gendered inequalities in the latter. Indeed, as discussed in section 5.2, both documents and participants’ recollections showed more opportunities for gender mainstreaming in the consultation and drafting phases for Decree 20. Even if it did not result in substantial gender-responsiveness of the reform, the participation of GED and the more active engagement of VWU illustrate the momentum for gender mainstreaming.

The focus of international development partners on gender also seems to have changed over time. For instance, UNDP noticed a stronger interest in gender and social assistance in the last five years, with more and more development organizations bringing gender into policy discussions. Although the present day was seen as a more opportune time to incorporate a gendered lens in policymaking than a decade ago, this once again had limited impact on the reform. A respondent who has conducted research on social assistance noted that while government stakeholders did express interest in gender issues during the interviews they conducted, this interest was not reflected in real decisions in the policy process.

A possible explanation for this low level of commitment was offered by multiple respondents, who saw gender mainstreaming as one of several competing priorities in line ministries. Since each ministry tends to focus on its own key mandate, gender issues receive less attention in comparison. This problem was also noted regarding the Committees for the Advancement of Women. As the leaders of these committees fulfil these roles in addition to their main ministry positions, they have an increased workload and must divide their attention between two jobs. In contrast, the Committee
Findings on Ethnic Minority Affairs is a separate government agency, equivalent to a ministry, which has been more successful in advocating for ethnic minority rights.

Another potential explanation for the relatively low interest in gender mainstreaming presented by a gender expert and a non-governmental gender advocate was the low level of awareness and understanding of gender among policymakers. Finally, the lack of accountability was highlighted as a driver of low commitment:

“The fact that no one is held accountable or disciplined for underachieving gender equality targets shows that in Viet Nam, gender equality is not considered important or essential. Everyone considers it an act of political will. It’s a nice-to-have, not a must-have.”

– Non-governmental respondent

Section 5.3 (RQ3) has discussed actors’ commitment and attitudes towards social assistance. Besides these factors, the Government’s overall push for different pillars of the social protection system has been an indirect driver of their level of gender integration. Several respondents observed a stronger commitment from the Government towards reforming the social insurance system than social assistance. Social insurance is seen as an important tool to improve the economic and labour-market conditions of the country. Social insurance is considered essential to achieving national growth objectives – the relative commitment to insurance versus social assistance is demonstrated by the stronger legal basis of the former. According to respondents’ opinions, this level of attention has put more pressure on the Social Insurance Department to set ambitious targets and create a system that caters to all members of the labour market.

5.5.4 Research Question 5: Conclusions

Contextual factors of a socioeconomic, legal and political nature have impacted the level of gender integration in social assistance reform in both positive and negative ways. The macro-level changes in Vietnamese society have created a more enabling environment for expanding social assistance and for considering gender when doing so. Yet, this opportunity was counterbalanced by financial challenges and an overarching legal framework that predetermined the direction and magnitude of the reform. While the momentum for social assistance and for gender mainstreaming has been building in the political arena, increased knowledge and awareness is needed to better reflect this in concrete policy actions.
6. Conclusions

Guided by Resolution 15, the MPSARD and, subsequently, Decree 20 brought about several important reforms of Viet Nam’s social assistance programmes, including expansion to more vulnerable groups and an increase in benefit levels. However, the analysis of the two social assistance policies that emerged from the social assistance reform agenda has shown that gender was weakly integrated into them, despite the existence of a legal framework and mechanisms for gender mainstreaming. Although some new policy provisions may lead to moderately gender-responsive outcomes among beneficiaries, the policies themselves are gender-neutral, as they do not consider the potential for unequal access to or impacts of the programmes due to prevailing gender norms and inequalities, and may also result in (unintended) gender-discriminatory outcomes.

To understand why, this study analysed the process for developing the two policies, with a focus on the actions and opportunities for gender integration that occurred at each stage of policy formulation, the ideologies and interests of the actors involved, institutional factors and the wider context.

The policy process

The policy formulation processes for the MPSARD/Decision 488 and Decree 20 followed regulations according to Viet Nam law, including those for gender mainstreaming, and involved participation of key gender actors such as VWU and MOLISA (the focal ministry for gender equality that includes GED as an advisory body). However, detailed examination of the formulation processes shows that opportunities for gender integration were missed and that the gender mainstreaming procedures had little impact on the policies. Multiple factors (discussed in the following paragraphs) combined to undermine Viet Nam’s attempts to integrate gender in policy formulation and thus limited opportunities for gender integration in the social assistance policies.

Policy actors’ ideologies, interests and influence

The level of gender-responsiveness of the social assistance policies reflects the ideas and interests of the individuals and organizations involved in the formulation process. Most prominently, there is a widespread preference among government actors for ‘non-discrimination’ between men and women in social assistance based on the assumption that it is a ‘gender-neutral’ policy area. In reality, this represents a ‘gender-blind’ approach. Producing a gender-responsive policy requires going beyond ‘gender-neutrality’ through purposeful consideration of gender, and how gender intersects with age and other social and economic characteristics, in policy formulation.

Other actors, both governmental and non-governmental, demonstrated a more progressive conception of gender equality, especially gender equality advocates such as VWU. However, few of the actors involved in the policy process advocated for elements that could be considered higher on the gender integration continuum, and no one contributed gender-transformative ideas. Organizations with higher vested interests in gender either did not participate extensively in the process, lacked influence or prioritized other strategic interests, relegating gender to the background among other competing priorities. Moreover, the gender-responsiveness of the final policies was affected by decisions that were not based on or framed with considerations of gender. Several attempts by MOF
and other key ministries to reduce the scope of the reform based on ‘budget limitations’ may reflect a perception of social assistance as an unaffordable cost rather than a potential investment that can contribute to gender equality outcomes.

Institutional factors: Regulations and resources

Viet Nam’s gender mainstreaming mechanisms are codified in the Law on Gender Equality, the Law on Laws and related decrees. They provide an important basis for the mainstreaming of gender in policy formulation. However, the need for greater consistency in the laws and regulations and how they are interpreted and implemented by policymakers, and the limited resources available, resulted in a largely procedural and superficial application of gender mainstreaming in the social assistance policy reform.

The formulation of current laws governing gender mainstreaming mean that the regulations are not consistently applied across policy types and sectors. Gender mainstreaming (including the GIA) is only applicable to legal normative documents that are “related to gender equality”, and important guiding policies, such as certain prime ministerial decisions, are not legal normative documents and are not subject to certain gender mainstreaming requirements. Moreover, policymakers’ interpretation and implementation of gender mainstreaming procedures is shaped by their underlying ideologies and interests. The common perception of social assistance as ‘gender-neutral’ means that gender mainstreaming procedures are either not applied (given the lack of legal guidance on which policies are related to gender) or that gender analysis focuses on demonstration of non-discrimination rather than on understanding the impacts of the policies on gendered vulnerability and inequality and the formulation of more gender-responsive or transformative policy design. Effective application of gender mainstreaming is further undermined by the lack of departmental, ministerial and higher-level accountability mechanisms.

The application of gender mainstreaming regulations is further undermined by the low level of gender-related financial, knowledge and human resources. The official budget allocation for development of new policies is low and gender mainstreaming activities are often de-prioritized, with little or no budget allocated to gender research, analysis and consultation. Further, although substantial resources were provided by development partners, these did not prioritize gender. GED, a leading actor regarding gender mainstreaming in policymaking processes, also has highly limited resources relative to its mandate.

Further, there is both a lack of sex-disaggregated administrative data from the social assistance programmes and limited demand among policy actors for gender analysis. No studies or evaluations produced for the reforms explicitly integrated gender into their objectives or methods, when some potentially gender-responsive policy recommendations were rejected due to not having sufficient evidence.

There are also a low number of gender experts both within and outside the Government, especially those with knowledge of social assistance and the policy process, and limited availability of technical guidance and training, including in relation to gender and social assistance. Within MOLISA, all actors understood the procedural requirements of gender mainstreaming as defined in law. However, only a minority of actors have a deeper understanding of gender inequalities and higher-level officials are reluctant to engage in gender training.
On the non-government side, actors generally have a better understanding of gender. Nevertheless, on both sides, shortcomings were observed about how to conduct gender analysis and how to design gender-responsive social assistance.

The wider socioeconomic, political and legal context

Contextual factors of a socioeconomic, legal and political nature impacted the level of gender integration in the social assistance reform in both positive and negative ways. Macro-level changes in Vietnamese society have created a more enabling environment for expanding social assistance and for considering gender when doing so. The progressive establishment of the gender mainstreaming mechanisms over the past 15 years demonstrate the willingness of the Government, at the higher level, to address gender inequality. Yet, these opportunities have been counterbalanced by broader financial challenges, an overarching legal framework that predetermined the direction and magnitude of the reform, and limited political commitment to gender mainstreaming across several dimensions of the policy arena. Moreover, while engagement of social organizations in policymaking processes may be increasing in Viet Nam, it still tends to be limited. Meanwhile, wider societal demand for more gender-responsive policy in general, and for gender-responsive social policies in particular, remains low.

The way forward

In conclusion, addressing the multiple ideological, institutional and wider political factors identified as barriers to effective gender integration can help to improve gender mainstreaming in social assistance policy, and more broadly, drive and sustain gender institutionalization in the social protection system.

Most fundamentally, this requires changing ideologies across the full range of actors involved in the process. This means engaging the most influential policy actors to enhance understanding of gender issues and to demonstrate the importance and value of more gender-responsive and transformative approaches to their policy objectives and to wider society. Gender advocates must constantly re-engage with high-level political and policy actors from the governmental and non-governmental sides, to promote strengthening and proper resourcing and implementation of gender mainstreaming mechanisms.

In addition, the wider institutional framework for gender mainstreaming requires reform, including clearer laws and stronger accountability mechanisms, with dedicated resources. Integrating a gender lens into evidence – data, research and evaluation – is also critical at all stages of the policy cycle and would highly contribute to more gender-responsive social policies in the future. It will also be key to work on increasing the skills and capacities of key policymakers on gender, particularly strengthening their understanding of the relationships between social assistance and gender.

The final section of this report provides specific recommendations for MOLISA, the appraising agencies and development partners on how to strengthen gender mainstreaming in future social assistance policy reforms, as well as for the central Government and the National Assembly in strengthening the higher-level institutional framework for gender mainstreaming.
7. Recommendations

Recognizing the Government of Viet Nam’s dedication to gender equity and gender mainstreaming as evidenced in commitments to several gender-related international frameworks and national laws, this section presents recommendations for both the Government and its partners to strengthen gender integration in future social assistance reforms, as a step towards institutionalizing gender within the overall social assistance system. The recommendations focus on strengthening gender-responsiveness in the policy development process – i.e., strengthening gender mainstreaming, rather than providing specific recommendations for gender-responsive social assistance programme design and implementation.

The first recommendations are for MOLISA, although many of these will be relevant to other sectoral ministries. These are followed by recommendations for the appraising agencies (including the Ministries of Justice, Finance and Planning and Investment) and development partners. Because some of the barriers to effective gender mainstreaming in social assistance relate to the wider legal and policy framework for gender mainstreaming, the final set of recommendations are for the central Government and the National Assembly.

7.1 Recommendations for the Ministry of Labour, Invalids and Social Affairs

The following recommendations, while aimed at MOLISA, may be relevant for the central Government and other line ministries. Recommendations in the first subsection focus on the bigger picture of the ongoing reform process. It is also important to strengthen gender mainstreaming in the formulation of new legislative documents and by-laws, and during the implementation and M&E of existing programmes (addressed in the second and third subsections).

**Strengthening gender mainstreaming in a reform process**

**Recommendation 1.1: Advocate for and support integration of gender in Party resolutions and other high-level government strategies.** In Viet Nam, policy reforms tend to take place as a series of incremental changes towards an agenda developed by the Politburo and the Government. Resolution 15 was the initial agenda-setting policy for the social assistance reform and did not include mentions of gender equality. A key lesson learned from the interviews was that such agenda-setting policies largely define the contents and directions of the policies that follow. In such a political environment, it is important to integrate gender from the beginning of the process, thereby ensuring that gender mainstreaming continues to be part of the policy discourse. To improve gender mainstreaming in future reforms, MOLISA should actively advocate for its inclusion in new Party resolutions, the proposed law on social assistance, the new Master Plan for Social Assistance Reform, NTPs and other high-level government laws, policies and strategies. An important first step would be to engage gender experts and advocates throughout the preparation of the resolution, starting with the initial consultations.
Recommendation 1.2: Leaders should show ownership of and commitment to gender mainstreaming, beyond an assumption of gender-neutrality. In social assistance reforms, the leadership of MOLISA (and more narrowly, DSA) has the largest influence on the contents of new policies. As the drafting agency, they also oversee the composition of the drafting board and the overall drafting process. Therefore, their understanding and commitment to gender mainstreaming is essential to ensure that adequate time is allocated to conducting gender analysis and consultation, that the drafting board has adequate gender expertise, that gender experts are listened to and that gendered impacts are carefully considered throughout the process. In the case of Viet Nam, it is essential that leaders require integration of gender into government policies to move beyond non-discrimination by design.

Recommendation 1.3: Create an accountability framework for gender mainstreaming. The lack of incentives and accountability was identified as a key disincentive to carry out in-depth, high-quality gender mainstreaming in social assistance. While the legal framework defines which actors are responsible for gender mainstreaming in general, the specificity of these provisions is limited since they apply across all sectors and ministries. In line with commitments in the NSGE 2021–2030 (Part II, Clause 1 and 2), MOLISA should create its own internal policy on gender mainstreaming in social assistance, clearly defining the responsibilities and expectations of different actors/staff members at various stages of the process, from pre-drafting, including evidence generation, through to appraisal and approval. If the requirements are clearly defined, officials can also be held responsible for the quality of the gender mainstreaming work. Such an internal gender mainstreaming policy should guide ways to monitor progress in the integration of gender in the policy (see recommendations below), and to reward high-quality and sanction missing or poor-quality activities. (Note: This is only feasible if adequate resources are dedicated to the task, such that staff members responsible for gender mainstreaming have the necessary time and expertise.)

Recommendation 1.4: Strengthen gender-responsive financing. GED plays a critical role in realizing the NSGE’s targets and what is prescribed in the Law on Gender Equality across all sectors. The extent and quality of its work is largely determined by the financial resources available to it, which has implications for gender institutionalization in the social protection sector (and beyond). Currently, the evidence suggests that GED is under-resourced and understaffed relative to its responsibilities. As the line ministry hosting GED, MOLISA should request adequate funding for GED’s activities, which enables the desired level of support to gender mainstreaming across the Government. In line with the goals of the Law on State Budget (2015), gender budgeting can also play a role in demonstrating the extent to which public resources, including those allocated to social assistance, contribute to gender equality outcomes.

Recommendation 1.5: Evaluate the effectiveness of GIAs. GIAs, in their current form, have been a legal requirement for the formulation of (certain) new policies since 2015. GIAs are an important component of Viet Nam’s gender mainstreaming mechanism and have the potential to enhance the gender-responsiveness of future social assistance policies. However, this study has found that several factors related to GIA regulations, timing, guidance and technical capacity limit their effectiveness. To ensure that any actions taken to strengthen the role of GIAs are evidence-based, relevant and feasible, GED should undertake an evaluation of the effectiveness of GIAs on policy formulation across all government departments (a comparative analysis) to identify good practices and areas for improvement.
Recommendation 1.6: Further enhance guidance on the contents of the GIA and ensure that this is understood and utilized by policymakers. Guidance on conducting generic gender impacts has been developed by MOJ. While this is a good starting point for understanding the main components of a GIA, further detailed guidance on how to conduct GIA for specific policy areas would be helpful for drafting agencies in conducting high-quality assessments that duly investigate the potential gendered impacts of proposals. This is particularly important for policies pertaining to people’s social, cultural and economic rights, such as the fields of social protection, health, education, other public services, employment and entrepreneurship. The guidelines should include a plan for monitoring gender-related performance and changes over time. While MOJ is responsible for ensuring that GIA requirements are met, the guidance should be developed by GED as the technical agency responsible for gender.

Strengthening gender mainstreaming in the policymaking process

Recommendation 1.7: Provide periodic training on social assistance and gender to those involved in the drafting, GIA and appraisal. Since most government officials’ understanding of gender and social assistance is focused on the issue of non-discrimination and eligibility criteria, the (intended and unintended) gendered impacts of design and implementation features should receive substantial attention in these activities and materials. Recognition of how reducing gendered risks and vulnerabilities with social assistance contributes to wider gender equity and development goals should be fostered among stakeholders. Training should also explore how gender intersects with other social attributes such as age, disability and ethnicity, and what this means for social assistance design and implementation. MOLISA should make this training obligatory for DSA officials, drafting team members, those conducting the GIA and officials from other ministries who are responsible for policy appraisal, including MOJ and MOF. Specific training should be provided to ILSSA staff and DSA officials responsible for GIAs on how to carry out gender analyses of social policies. Development partners could play an (initial) role in supporting development of new training packages, including training of trainers.

PRE-DRAFTING STAGE

Recommendation 1.8: Include gender analyses in the evaluation of existing policies and programmes. During (or prior to) the pre-drafting phase of social assistance policies, MOLISA and its partners evaluate the existing policies, as was done with Decree 136 in preparation for Decree 20. Although ILSSA has been actively seeking participation of both men and women by using gender-balanced samples in their research processes, there has been no specific focus on gender to date. Since none of these evaluations included the gender analysis of policies, the evidence gap was identified as a crucial barrier to gender mainstreaming in the drafting process. Therefore, MOLISA should commission a thorough gender analysis of Decree 20, including the design (eligibility criteria, benefit levels, integration with other policies and services), implementation (MISs, registration and payment processes, programme communications, grievance and redress mechanism), and monitoring (data availability and M&E frameworks). Ideally, this would include a GIA as well as a process evaluation. Moreover, gender analyses should be an integral part of all pre-drafting evidence generation and research activities in the future.
CONSULTATIONS AND DRAFTING

Recommendation 1.9: Ensure gender balance and gender expertise of the drafting board, including in decision-making. Viet Nam’s gender mainstreaming regulations already require gender-balanced drafting teams. This aims to ensure that the perspectives of both women and men are represented in legislative proposals and draft policies. This regulation was followed by DSA for both Decision 488 and Decree 20. However, as noted by some officials, gender balance in the team composition is not necessarily sufficient to ensure that gender concerns are recognized, understood and integrated into draft policies. Beyond the drafting board composition, MOLISA should aim to promote gender balance within decision-making positions and ensure adequate gender expertise (whether male or female) from the Ministry in the core drafting team. Depending on staffing structures and available resources, this could be achieved in different ways, for example through more intensive training for selected officials of the drafting agency, creation of a gender specialist position or focal point within DSA, or appointment of an expert from GED or VWU into the core drafting team.

Recommendation 1.10: Engage external gender advocates and experts in policymaking through the entire process. Throughout the reform process, MOLISA has followed the legal requirements of engaging entities with a gender mandate (such as VWU and GED). It has also invited non-governmental gender advocates to participate in the process and provided an opportunity for public comment on the draft through the government portal. While this has been an important step to incorporate gender considerations into the project, the timing, extent and influence of non-government gender advocates should be enhanced in future policy formulation activities. MOLISA should ensure their participation as early in the process as possible, before a first draft of the policy is prepared. Gender should be a specific topic of discussion, with dedicated time for dialogue as opposed to one-way recommendations.

The recommendations of gender advocates should be recorded, and the steps taken to address them documented and justified. The responsibilities around addressing recommendations should be clearly defined for drafting board members. MOLISA should consider developing a framework for ensuring consultation is conducted with gender advocates, including sociopolitical organizations, development partners, experts and social organizations.

Recommendation 1.11: Monitor the impact of any changes to a draft policy on its gender-responsiveness as it moves from pre-drafting to appraisal. Some potentially gender-related contents were removed from Decree 20 over the drafting and re-drafting processes. When the contents of a draft change, the drafting board should evaluate the effect of these changes on the gender-responsiveness of the policy and take this into consideration. Responsibility for gender monitoring would depend on which approach is taken to ensuring gender expertise within the core drafting team (see above). The roles and responsibilities for monitoring should be embedded in the Ministry’s overall accountability framework for gender mainstreaming. The GIA in these cases should be updated with recognition of any changes and their implications for gender.

(For appraisal, see section 7.2.)
**How to make the social assistance system more enabling of gender mainstreaming**

Recommendation 1.12: Move towards a digital beneficiary registry and an MIS that allows for analysis of sex-disaggregated data. Digitizing beneficiary records would have benefits for the overall social assistance system beyond gender mainstreaming. It would reduce the administrative workload of province-, district- and local-level staff, simplify the bottom-up budgeting process, and be a step towards the Government’s goals on shock-responsive social protection. With regards to gender mainstreaming, an MIS could be the backbone of regularly monitoring gender-specific indicators on social assistance. As well as drawing on international best practice, lessons can be drawn from recent experiences of the Departments of Child Protection and Social Security. The sex-disaggregated data should contribute to the national statistical database on gender proposed in the NSGE 2021–2030.

Recommendation 1.13: Develop an M&E framework for social assistance, with participatory mechanisms and gender-responsive indicators. MOLISA has shown a strong commitment to evidence-based policymaking, with research and evaluations providing the basis for many strategic and programmatic decisions taken in the past decade. Yet, a strong framework for regularly monitoring and evaluating social assistance policies is still lacking (arguably due to the lack of digitized and centralized data). An M&E framework would allow MOLISA to continuously monitor whether its programmes are reaching the intended beneficiaries, and with the inclusion of gender-responsive indicators, any knowledge gap on gender-responsive social assistance could also be narrowed. The framework should include mechanisms to support participation such as gender audits, community score cards, qualitative impact evaluations or quantitative process evaluations, and draw on data from the MIS and an effective grievance and redress mechanism.

7.2 Recommendations for appraising agencies

Recommendation 2.1: Involve gender expertise in the review of the policy dossier, particularly the relevance and quality of GIA. The role of the appraising agency, MOJ, in ensuring gender mainstreaming has been demonstrated in the process of Decree 20. However only a brief review of the attached GIAs is carried out to check whether they are present and fulfil the legal requirements. The appraising agency should go beyond merely checking the GIA and review its contents with support from a gender expert. If this review points out shortcomings of the GIA, the appraising agency should have the authority to request changes to it.

Recommendation 2.2: Assess the gendered impacts of recommendations made by the appraisal committee. No recommendation should be given in the appraisal and approval stages without assessing how it would influence the policy’s gender-responsiveness.

7.3 Recommendations for development partners

Recommendation 3.1: Support MOLISA and other ministries with a social protection mandate in strengthening their gender mainstreaming capacity. United Nations agencies, particularly those with a strong gender mandate and expertise (i.e., UN Women, UNFPA) should provide capacity-building on gender and social assistance for DSA and GED, as well as departments of other relevant ministries. Training content should focus on the role of social assistance policies in
tackling (and potentially worsening) gendered vulnerabilities and inequalities, including how gender intersects with other social characteristics such as age, disability and ethnicity, and how to undertake relevant analyses. Capacity-building activities should build on the international evidence base and harness the local expertise of gender advocates and social organizations to draw lessons relevant for the Vietnamese context.

**Recommendation 3.2: Ensure that gender is used as a guiding principle in all United Nations work, including social protection (in line with the ‘Delivering as One UN’ agenda).** The strategic plan agreement between United Nations agencies and the Government states that gender is one of five cross-cutting themes that will guide United Nations activities. This, however, has not been adequately reflected in the social assistance reform process. United Nations organizations have been highly influential actors in the reform process, successfully advocating for elements with uniform support across the board (such as child benefits and social pensions). While some agencies (e.g., UNFPA and UN Women) did advocate for gender-responsive components, others (e.g., UNDP and UNICEF) did not put gender at the forefront of their agendas. Despite efforts to represent a unified front as ‘One UN’, there was fragmentation along the lines of organizational mandates. In the next phase of the reform process, agencies involved in social assistance should closely coordinate their support to the Government and aim for gender mainstreaming across their activities, particularly in terms of evidence generation.

**Recommendation 3.3: Ensure integration of a gender lens into all policy research for social assistance and support gender analysis for specific policies.** One of the main barriers to effective gender integration in the social assistance policies was the lack of gender analysis and evidence. Gender was not purposefully integrated into most of the research conducted or supported by development partners. While there should be a focus on enhancing government research capacity, any policy research funded by development partners should, by default, incorporate a gender lens. Moreover, where government agencies lack capacity, development partners can provide expertise to conduct specific gender analyses, whether during the ideation (pre-drafting) phase or for the GIA. Development partners can also support GED in the wider evaluation of GIAs (see “Strengthening gender mainstreaming in a reform process” earlier in this section).

**Recommendation 3.4: Support training of gender experts from international organizations and civil society in gender and social assistance and the policymaking process.** This study revealed a general lack of knowledge among gender experts in Viet Nam about the role of social assistance in tackling gendered vulnerability and inequality. Moreover, policymakers noted that gender experts outside government, from academia or social organizations, often do have an inadequate understanding of the policy formulation process. Development partners can help to fill these gaps by supporting training for local gender experts that focuses on the thematic issue of gender and social assistance across the life cycle, and on the legislative and policymaking process and how to effectively engage with policymakers.
Recommendation 4.1: Amend the regulations in the Law on Laws (2015, amended in 2020) regarding which policies are relevant for gender by recognizing that all legal normative documents and other government policies can potentially have gendered impacts. An important point of uncertainty in the legal requirements for gender mainstreaming is whether the given policy is “relevant” for gender and should therefore be subject to gender mainstreaming. Moreover, legal documents without specific budgetary commitments (such as Decision 488) currently do not require a GIA. In fact, all public policy, including longer-term strategic documents, can have (unintended) gendered impacts on the population and can be harnessed to address gender inequalities through more gender-responsive (rather than gender-neutral) design. This is particularly true for policies that directly impact people’s livelihoods, such as those in the field of social protection. It is recommended that an amendment is made to the Law on Laws (2015, amended in 2020) specifying that all new legal normative documents and other policies – including all prime ministerial decisions – should be subject to gender mainstreaming and clarify the conditions under which policies require a GIA or make the completion of a GIA mandatory for all new policies. As recommended in the 2020 review of the Law on Gender Equality, consistency should be ensured between the Law on Laws (2015, amended in 2020) and the Law on Gender Equality (2006) (Viet Nam, MOLISA, and UNFPA, 2020).

Legal reform is clearly a long-term objective that requires strong political commitment. In the meantime, MOLISA could supplement the existing regulations with a circular stating that all social assistance policies should be considered gender-related and therefore subject to the full gender mainstreaming requirements. This may elevate the costs of policy formulation beyond current allocations, in which case supplemental resources could be sought from development partners.

Recommendation 4.2: Strengthen mechanisms for oversight of gender mainstreaming in integrated policymaking. Many government policies, and social assistance in particular, have connections and relevance to many other sectors and always require engagement of MOJ (in relation to legal alignment) and MOF (in relation to financing). This has been shown to have two major implications for institutionalizing gender in policy formulation. First, it encourages an incremental approach to policy reform, whereas gender-responsive social assistance sometimes requires more fundamental changes to the overall social protection system. Second, the interests of other ministries sometimes (unintentionally) act against potential gender-responsive policy elements. Stronger, gender-focused oversight of the policy process across ministries could help to resolve some of these issues by situating proposed reforms within the wider gender equality objectives of the Government and resolving potential sectoral conflicts. While the National Assembly Social Committee plays this role in the formulation of new laws, it is recommended to consider a stronger centralized mechanism for cross-ministerial coordination and oversight of policies that are lower in the legal hierarchy, including decisions and decrees.

Recommendation 4.3: Include sufficient, earmarked budgets for gender mainstreaming among the resources provided for policy formulation. Activities related to gender mainstreaming should appear as specific items in the budget for policy formulation. Assigning dedicated budgets to gender analyses, consultations with gender experts and advocates, the preparation of the GIA and
discussions of gender-related feedback will ensure that these activities are carried out to the required standard. With a clear accountability framework in place, budget items for gender mainstreaming could further increase the incentives and responsibilities of staff.

**Recommendation 4.4: Require the GIA to be completed earlier in the policymaking process and updated prior to appraisal.** Under current legislation, it is possible that the GIA is only completed once a first complete draft of the policy is ready to be submitted for appraisal. At this point, the GIA has little potential to influence the contents of the draft. Work on the GIA should begin earlier in the process, even at the pre-drafting stage, when it can be thoroughly discussed by the drafting board and gender advocates/experts and lead to changes in the draft policy. The GIA should then be updated with any changes to the final draft policy prior to submission of the dossier to the appraisal committee.
GENDER-RESPONSIVE AGE-SENSITIVE SOCIAL PROTECTION: A CONCEPTUAL FRAMEWORK

**ECONOMIC SECURITY & EMPOWERMENT**
- Decent work
- Income security & resilience
- Increased social capital & economic wealth
- Financial autonomy
- Savings
- Access to credit
- Access to markets

**SOCIAL CARE SERVICES**
- Improved health
- Social identity
- Disability

**IMPROVED PSYCHOSOCIAL WELLBEING**
- Mental health
- Life satisfaction
- Self-esteem
- Reduced stress & enhanced resilience

**ENHANCED VOICE & AGENCY**
- Positive gender attitudes
- Decision-making capacity
- Autonomy
- Self-efficacy
- Political & community participation

**INCREASED PROTECTION**
- Freedom from violence
- Delayed marriage
- Reduced risk of FGM
- Greater mobility

**IMPROVED HEALTH**
- Access to health & social services
- Physical health & nutrition
- Reproductive & sexual health
- Reduced HIV/AIDS risk
- Delayed sexual debut & pregnancy

**GENERALITY OUTCOMES**
- Change levers
  - Political commitment & incentives
  - Financing
  - Capacity building & strengthening of governments & partners
  - Institutional norms, rules & practices
  - Evidence generation (data, research & evaluation)
  - Social movements, demand & accountability

**MODERATORS**
- Intrahousehold dynamics
- Market access
- Social and cultural norms
- Gender norms
- Gender-friendly policies & laws
- Microeconomic conditions
- Conflict & instability
- Political conditions
- Availability & quality of services

**GENDER INTEGRATION CONTINUUM**
- Gender-transformative
- Gender-responsive
- Gender-sensitive
- Gender-neutral/blind
- Gender-discriminatory

Where a programme falls along this continuum depends on how gender is considered (or not) across design, implementation, financing and M&E systems and associated outcomes and impacts.

**LIFE COURSE LENS**
- Old age
- Adulthood
- Adolescence
- Middle childhood
- Early childhood

Applying a life course lens allows approaches to be sensitive to critical life events, transitions and turning points.

Annex 2: Overview of the interview sample

Table 5: Interview sample

<table>
<thead>
<tr>
<th>ORGANIZATION/TYPe</th>
<th>ORGANIZATIONAL UNIT</th>
<th>NUMBER OF INTERVIEWS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Government</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOLISA</td>
<td>Social Assistance Department</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>ILSSA</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>GED</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Department of Child Affairs</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Legal Department</td>
<td>1</td>
</tr>
<tr>
<td>MOJ</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>MPI</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Ministry of Health</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>MOF</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>MOET</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td><strong>Total governmental organizations</strong></td>
<td></td>
<td>17</td>
</tr>
<tr>
<td><strong>Non-governmental organizations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Experts and consultants</td>
<td>National</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>International</td>
<td>3</td>
</tr>
<tr>
<td>Sociopolitical organizations</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Social organizations</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td><strong>Total non-governmental</strong></td>
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<td>10</td>
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<tr>
<td><strong>International organizations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development partners</td>
<td>UNICEF</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>UNFPA</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>World Bank</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>ILO</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>UNDP</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>UN Women</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total international organizations</strong></td>
<td></td>
<td>8</td>
</tr>
<tr>
<td><strong>Total number of interviews</strong></td>
<td></td>
<td>36</td>
</tr>
</tbody>
</table>
Annex 3: Document data

Evidence for the Master Plan for Social Assistance Reform and Development/Decision 488


- Terms of Reference (TOR) (five-day courses for policymakers and local practitioners; one-day course for parliamentarians); TOR, schedule, training materials
- EPRI Training on Social Protection Training – content package for parliamentarians
- EPRI Training on Social Protection Training – content package for policymakers
- EPRI Training on Social Protection Training – content package for practitioners
- EPRI Training on Social Protection Training – supplementary reading list
- Study Tour to the United Kingdom and Sweden: TOR and schedule


**Dossier documents submitted for Decision 488**

- MPSARD for the period 2020–2025, with vision to 2030 (draft April 2017)
- MPSARD for the period 2020–2025, with vision to 2030 (draft April 2016)
- Proposal regarding the approval of the project “Master Plan on Social Assistance Reform and Development for the period 2016–2025 and a vision to 2030” (2016)
- Report to the Minister regarding the Minister’s direction for clarification of the project “Master Plan on Social Assistance Reform and Development for the period 2016–2025 and a vision to 2030” (2016)

**Evidence for Decree 20**


Opinions and comments submitted on Decree 20:

- MOLISA: Summary of comments for replacing Decree 136 from Ministries and Provinces (March 2020)

- GED: Contribution to the draft decree regulating social assistance policies (March 2020)


- MPI: Responding to the Document 367/LDTBXH-BTXH inquiring on the comments for the draft amendment decree stipulating policies on social assistance for beneficiaries of social protection, replacing Decree 136/2013/ND-CP dated 21 October 2013 (March 2020)

- VWU: Comments on the draft decree replacing Decree 136 (October 2020)

- UNICEF: Comments on the draft decree replacing Decree 136 (November 2020)

Dossier documents submitted for Decree 20:

- Comments for replacing Decree 136 from ministries and provinces

- MOLISA: Gender equality issues mainstreaming in the draft decree (Nov 2020)

- MOLISA: Results of implementation of a number of social assistance policies for social protection beneficiaries for the period 2013–2020 (2020)

- MOLISA: Draft decree revised upon comments of Members of Government (2021)

- MOLISA: Acknowledgement, justification and response to the comments of MOJ on the draft decree stipulating social assistance policies for social protection (2020)

- MOLISA: Acknowledgement and justification of the opinions of Members of the Government on the draft decree stipulating social assistance policies for social protection (February 2020)
Endnotes

1. Research Stream 1 of the GRASSP programme focuses on concepts and theory. Research Stream 2 analyses the design and implementation of social protection policies through a gender- and age-sensitive lens.

2. Gender mainstreaming was formally adopted as a global strategy in the Beijing Plan for Action at the Fourth United Nations World Conference on Women in 1995.

3. In the ECOSOC definition of gender mainstreaming, the emphasis on equal treatment in policies and programmes may not necessarily lead to equal outcomes for both sexes. In cases of significant and systemic gender inequality, affirmative action consisting of women- (or men-) specific interventions and design modifications may be necessary to maximize gender equality outcomes (Banati et al., 2020).

4. Other actors from the regional, provincial or local levels may also have played roles in the policymaking process. Similarly, additional actors may have indirectly influenced the process (e.g., via campaigns or informal discussions). While limiting the purposive sampling strategy was necessary to ensure a feasible study design, it may have resulted in the exclusion of additional perspectives.

5. Gender advocates are governmental or non-governmental actors with a mandate related to gender or gender equality.

6. Social organizations in Viet Nam are the equivalent of entities called ‘civil society organizations’ or ‘non-governmental organizations’ in other contexts.

7. The full topic guides are available in the GRASSP online repository of study materials.

8. The coding frame is available in the GRASSP online repository of study materials.

9. The informed consent statement is available in the topic guides in the GRASSP online repository of study materials.

10. See section 4 for the stages of the policymaking process.

11. The law also specifies several legislative documents at the provincial, district and communal levels that are below circulars in the hierarchy.

12. According to policymakers who participated in the validation workshop for this study.

13. The Government Office is a ministry-level agency that supports the work of the Prime Minister and the executive body.

14. In the Vietnamese political system, sociopolitical organizations, also known as mass organizations, officially represent the interests of social communities in politics. Examples of other major sociopolitical organizations include VFF, the Vietnamese Trade Union and the Vietnamese Association of the Elderly.

15. According to Decree No. 34/2016/ND-CP (article 3, clause 2), prime ministerial decisions that are not considered legal normative documents include strategies, programmes, schemes, projects and plans.

16. While Decree 20/2021 defines eligibility and financing for social care, the precise definitions, operational guidelines and standards for alternative care and residential services are defined in other laws and decrees, for example, the Law on Children and its related decrees.

17. Since Decree 86/2015 on tuition fees was promulgated while Decree 136 was in place, Decree 86/2015 refers to beneficiaries of Decree 136 rather than Decree 20.

18. This study uses a slightly modified version of the dimensions developed by Camilletti et al. (2021). This is because their framework was developed to analyse a snapshot of policies, while this report assesses a reform process.

19. The changes have been summarized by the authors and are available in the GRASSP online repository of study materials.

20. The base allowance is the minimum monthly transfer amount. The decree also specifies coefficients for each beneficiary group. The base allowance is multiplied by the coefficient depending on which category the recipient belongs to. For example, Decree 20 specifies a coefficient of 1.5 for children under 36 months old, meaning that children receive a monthly transfer of VND 540,000 (1.5 x 360,000).

21. However, Prime Ministerial Decision No. 498/QD-TTg on reducing child marriage and consanguineous marriage in ethnic minority areas in the period 2015–2025 does address this risk.

22. A policy beyond social assistance that addresses domestic violence is Prime Minister Directive No. 08/CT-TTg on strengthening prevention and control of domestic violence.
Long-term care is regulated in other legal documents and does not belong to the social assistance pillar of social policies and is thus beyond the scope of this study.

Women have less access to and benefit less from pensions due to lower contributory years on average (UN Women, 2021).

According to the World Bank (2022) databank.

Decree 136 and Decree 20 include a short reference to grievances: “The approval council’s decision on beneficiaries should be publicly listed for 7 days and only proceed with finalizing the dossiers if there are no complaints. If there is a complaint, the complaint and the approval council’s response should be publicized within 10 days and submitted to the People’s Committee alongside the finalized dossiers.”

Section 5.5.2 contains an analysis of Resolution 15 in relation to the role of the wider policy landscape.

While the policy formulation components are broadly sequential, the process was not entirely linear. Certain elements of evidence generation and consultation may have occurred during the drafting stage rather than the pre-drafting stage.

For example, a MOLISA and UNICEF study on reform of the social care system (UNICEF and Viet Nam, MOLISA, 2014), a study by UN Women and ILSSA on social protection for women and girls (UN Women, 2015), and evidence from the World Bank and UNICEF’s social assistance systems strengthening pilot project.

Some of the supplementary reading material provided for the training programme does focus on gender, but this was not covered explicitly in the core training materials.

The Annexes of the MPSARD draft documents contain calculations on the anticipated number of beneficiaries and projected costs for social pensions and child benefits. However, such calculations for pregnant women were not carried out.

The primary data and evaluation report were not available for the evidence review.

This suggests that either a decision to exclude pregnant women from the proposed expansion of social assistance was made early in the process of policy construction, or that the evaluation summary was modified to reflect the final draft proposal.

No evaluation reports are available on the public project site (see https://projects.worldbank.org/en/projects-operations/project-detail/P123960 [accessed 18 August 2022]).

As discussed briefly in section 5.3, providing women with higher benefit levels than men would contradict the dominant view within the Government that social assistance policy should be gender-neutral.

Specifically, Decision 1896/2019 on nutrition care in the first 1000 days and Decision 1437/2018 for early years development.

‘Subsidiarity’ approach would rely more on the most local levels of support, including family and community, and with the local government responsible for design choices (and potentially funding) of social assistance. A ‘universal’ approach would guarantee coverage for all within social categories.

See section 5.2 (RQ2).

Some officials perceived that there was insufficient time to conduct gender analysis. This may be the case given existing staff structures and limited resources for engaging external expertise. However, policy formulation typically takes one year or more, suggesting that lack of expertise is the more critical issue.

In 2022, VWU, with support from ILO, developed a training package on gender and social insurance.
## Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEC</td>
<td>Central Economic Commission</td>
</tr>
<tr>
<td>D20</td>
<td>Decree 20</td>
</tr>
<tr>
<td>D488</td>
<td>Decision 488</td>
</tr>
<tr>
<td>DSA</td>
<td>Department of Social Assistance</td>
</tr>
<tr>
<td>GED</td>
<td>Gender Equality Department</td>
</tr>
<tr>
<td>GEL</td>
<td>Gender Equality Law</td>
</tr>
<tr>
<td>GIA</td>
<td>Gender impact assessment</td>
</tr>
<tr>
<td>GM</td>
<td>Gender mainstreaming</td>
</tr>
<tr>
<td>GRASSP</td>
<td>Gender-responsive and age-sensitive social protection</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>ILSSA</td>
<td>Institute of Labour and Social Affairs</td>
</tr>
<tr>
<td>M&amp;E</td>
<td>Monitoring and evaluation</td>
</tr>
<tr>
<td>MOET</td>
<td>Ministry of Education and Training</td>
</tr>
<tr>
<td>MOF</td>
<td>Ministry of Finance</td>
</tr>
<tr>
<td>MOH</td>
<td>Ministry of Health</td>
</tr>
<tr>
<td>MOJ</td>
<td>Ministry of Justice</td>
</tr>
<tr>
<td>MOLISA</td>
<td>Ministry of Labour, Invalids and Social Affairs</td>
</tr>
<tr>
<td>MPI</td>
<td>Ministry of Planning and Investment</td>
</tr>
<tr>
<td>MPSARD</td>
<td>Master Plan on Social Assistance Reform and Development</td>
</tr>
<tr>
<td>NCFAW</td>
<td>National Committee for the Advancement of Women</td>
</tr>
<tr>
<td>NASC</td>
<td>National Assembly Standing Committee</td>
</tr>
<tr>
<td>NSGE</td>
<td>National Strategy for Gender Equality</td>
</tr>
<tr>
<td>RQ</td>
<td>Research question</td>
</tr>
<tr>
<td>RS3</td>
<td>Research stream 3</td>
</tr>
<tr>
<td>UN WOMEN</td>
<td>United Nations Entity for Gender Equality and the Empowerment of Women</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
</tr>
<tr>
<td>UNFPA</td>
<td>United Nations Population Fund</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children’s Emergency Fund</td>
</tr>
<tr>
<td>VFF</td>
<td>Viet Nam Fatherland Front</td>
</tr>
<tr>
<td>VWU</td>
<td>Viet Nam Women’s Union</td>
</tr>
</tbody>
</table>
Glossary

The glossary defines some key terms and concepts to help the reader’s understanding of this report. Apart from terms that are specific to Viet Nam, definitions are aligned with the GRASSP conceptual framework (Banati et al., 2020).

**GENDER**

Gender is a social construct referring to what a given society at a given time considers appropriate for women or men. It refers to the socially constructed, culturally appropriate and context-specific roles and responsibilities, qualities or characteristics, and attributes and opportunities that each society ascribes to and expects of people depending on whether they are female or male.

**GENDER EQUALITY**

Gender equality refers to the equal rights, responsibilities and opportunities of women and men and girls and boys, and chances or opportunities for women, men, boys and girls to access and control social, economic and political resources, including protection under the law (such as health services, education and voting rights). Equality does not mean that women and men will become the same, but that women’s and men’s rights, responsibilities and opportunities will not depend on whether they are born male or female. It implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men.

**GENDER INSTITUTIONALIZATION**

Gender institutionalization (or institutional transformation) means a profound change within an institution. It encompasses substantive changes in an organization or system’s mandates, rules and procedures as well as shifts in dominant values and beliefs that are embedded in an organizational culture to achieve gender equality outcomes. It also requires shifts in the existing power underlying gender relations embedded in specific organizations responsible for policy and planning.
<table>
<thead>
<tr>
<th><strong>GENDER MAINSTREAMING</strong></th>
<th>Gender mainstreaming is a key strategy for promotion of gender equality through public policy. According to the United Nations Economic and Social Council (ECOSOC), gender mainstreaming is defined as a long-term strategy for making women’s as well as men’s concerns and needs an integral dimension of the design, implementation and M&amp;E of policies and programmes in all political, economic and societal spheres so that women and men benefit equally, and inequality is not perpetuated.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENDER INTEGRATION CONTINUUM</strong></td>
<td>The gender integration continuum is a spectrum that reflects the extent to which different features of a programme or system embed gender. It is a diagnostic tool to examine the level of ‘gender awareness’ in programmes and systems, which can also be applied to define and assess outcomes and impacts. Where a programme falls along this continuum depends on how gender is considered (or not) across design features, implementation, financing and M&amp;E systems, and associated outcomes.</td>
</tr>
<tr>
<td><strong>GENDER-DISCRIMINATORY</strong></td>
<td>Gender-discriminatory interventions or systems are those that intentionally or unintentionally take advantage of gender stereotypes in pursuit of programme outcomes and may reinforce gender inequalities.</td>
</tr>
<tr>
<td><strong>GENDER-NEUTRAL/-BLIND</strong></td>
<td>Gender-blind interventions or systems are those that ignore gender roles, norms and relations and how these might affect women’s and men’s specific needs. Gender-blind policies and programmes are often assumed to be ‘gender-neutral’ by those who design or implement them and are not aimed specifically at either women or men. In other words, they are assumed to have similar impacts on women and men.</td>
</tr>
<tr>
<td><strong>GENDER-SENSITIVE</strong></td>
<td>Gender-sensitive interventions or systems acknowledge and address gender inequality insofar as it is needed to achieve programme objectives. This type of intervention may benefit women specifically but does not tackle the underlying causes that contribute to gender inequalities.</td>
</tr>
<tr>
<td><strong>GENDER-RESPONSIVE</strong></td>
<td>Gender-responsive interventions or systems are those that acknowledge gender dynamics and deliberately respond to women’s and men’s specific needs. In these interventions, gender is central to achieve set development goals (not just a means to achieve them). Changing gender norms, roles and access to resources is also a key component of these interventions’ outcomes. These interventions may target specific groups of women or men to achieve certain gender equality goals.</td>
</tr>
<tr>
<td><strong>GENDER-TRANSFORMATIVE</strong></td>
<td>Gender-transformative interventions or systems are those that address the underlying causes of gender inequalities and work to transform harmful gender roles, norms and relations. They adopt gender equality and women’s empowerment as a deliberate and primary objective.</td>
</tr>
<tr>
<td><strong>SOCIAL PROTECTION</strong></td>
<td>Social protection refers to a set of policies and programmes aimed at preventing or protecting people against poverty, vulnerability and social exclusion throughout their life course, and at helping people address long-term risks and short-term stressors and shocks that can draw them into poverty. Social protection systems are comprised of non-contributory programmes (such as social assistance), contributory programmes (such as social insurance), labour-market policies and programmes, and social care services.</td>
</tr>
<tr>
<td><strong>SOCIAL ASSISTANCE</strong></td>
<td>Social assistance programmes are a type of non-contributory social protection that provide benefits in cash or in-kind designed to provide regular and predictable support to vulnerable groups of the population. They are also referred to as ‘safety nets’ or ‘social transfers’. Examples include conditional cash transfers, unconditional cash transfers, school feeding programmes, food aid, public works and fee waivers.</td>
</tr>
</tbody>
</table>
### SOCIAL INSURANCE

Social insurance is a form of contributory social protection that guarantees protection through contributions from beneficiaries. It usually covers workers in formal wage employment, where it is financed through contributions by workers and employers but often partly financed from taxation or other sources, such as the State or another public entity, and in some countries the self-employed. Examples include contributory old-age pensions, maternity benefits, health insurance and unemployment insurance.

### SOCIAL CARE

In the context of Viet Nam, social care refers to a set of social services that provide either community-based, kinship-based or institutional care for individuals, particularly children without parental care, persons with disabilities and older persons. Social care includes housing and the fulfilment of basic needs such as food, clothing and hygiene. Residential institutions that provide social care are referred to as ‘social protection houses’ or ‘social protection facilities’. In the Vietnamese context, social care is conceptualized as part of social assistance.
Bibliography


United Nations Children’s Fund and Viet Nam, Ministry of Labour, Invalids and Social Affairs, 


**Legal documents included in the desk review:**


Decision Approving the National Target Program for Sustainable Poverty Reduction during 2016-2020, No. 722/QD-TTg, 2 September 2016.

Decision Approving the Nurture Scheme for Total Development of Children During Early Years in Family and Community During 2018-2025, No.1437/QD-TTg, 29 October 2018.

Decision Approving the Scheme on Renewal and Development of Social Support Activities during 2017-2025 with a Vision Toward 2030, No. 488/QD-TTg, 14 April 2017.


Decree Detailing a Number of Articles of, and Providing Measures for Implementing, the Law on Promulgation of Legal Normative Documents, No. 34/2016/ND-CP, 14 May 2016.

Decision on Implementation of Certain Policies to Support Employees and Employers in Difficulty due to the COVID-19 Pandemic, No. 23/2021/QD-TTg, 7 July 2021.

Decree on Mechanism for Collection and Management of Tuition Fees Applicable to Educational Institution in the National Education System and Policies on Tuition Fee Exemption and Reduction and Financial Support from Academic Year 2015-2016 to 2020-2021, No. 86/2015/ND-CP, 2 October 2015.


Law on Gender Equality, No. 73/2006/QH11, 29 November 2006.


NSGE 2011–2020

NSGE 2021–2030


Resolution Promulgating the 2021-2030 National Strategy on Gender Equality, No. 28/NQ-CP, 3 March 2021.
Tables and figures

**Table 1:** Summary of groups eligible for regular social assistance and corresponding benefit values in Decree 20

**Table 2:** Summary of main changes in eligibility and benefit values in Decree 20 compared to Decree 136

**Table 3:** Gender-related recommendations discussed during the consultation workshops, as recalled by respondents

**Table 4:** Changes during the drafting process that affected gender-responsive elements of the Master Plan for Social Assistance Reform and Development

**Table 5:** Interview sample

**Figure 1:** Conceptual framework for understanding gender integration in the policy formulation process

**Figure 2:** Legal hierarchy in Viet Nam

**Figure 3:** The concept of social policies as defined in Resolution 15

**Figure 4:** The gender integration continuum

**Figure 5:** Components of the policy process for Decision 488/2017 and Decree 20/2021

**Figure 6:** GRASSP conceptual framework
Acknowledgements

This report was written by Nicholas Mathers, Mathilde Van Drooghenbroeck, Eszter Timár and Tran Nhu Trang (UNICEF Innocenti Office of Research and Global Insight) with support from the UNICEF Viet Nam Country Office and the Ministry of Labour, Invalids and Social Affairs. The study was funded by the UK Foreign, Commonwealth, and Development Office (FCDO) as part of the wider Gender Responsive and Age Sensitive Social Protection (GRASSP) research programme.

First and foremost, the authors would like to express their gratitude to the national and international experts and stakeholders who participated in the interviews and shared their knowledge for the study. The writing of this report would not have been possible without them.

The authors would like to thank the leadership of the Department of Social Assistance of the Ministry of Labour, Invalids, and Social Affairs, particularly To Duc, Nguyen Ngoc Toan, Pham Dai Dong, Pham Ngoc Dung and Vu Quynh Huong for their contributions to the study. Sincere thanks also to Nguyen Thi Trang, Anjanette Saguisag, and Vincenzo Vinci (UNICEF Viet Nam) for their guidance and support throughout this project, to the team at Sao Khue for interpretation and translation, and to Pham Thu Hien for quality assurance of the translated report.

The authors are also grateful for the feedback and ideas shared by participants of the Stakeholder Workshop and Validation Workshop held on the 9th of September 2021 and the 7th of December 2022 in Hanoi and the attendees of the UN Brown Bag Seminar held on the 8th of December 2022.

Finally, thanks to Frank Otchere for the technical guidance, to Dominic Richardson and Juliana Nyasha Tirivayi for their support and inputs at earlier stages in the research process and to Rosalind Cavaghan, Nicola Jones, and Ramya Subrahmanian for their valuable review and comments on the final report.

Hanoi, Viet Nam and Florence, Italy

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