



EXECUTIVE SUMMARY

BUSINESS ENVIRONMENT IN VIETNAM

An assessment from women-owned enterprises' perspective

The women-owned enterprises (WOEs) are making substantial contribution to both economic growth and poverty reduction. Raising women's economic power, their leadership and promoting their active participation in the economy is seen a lever for sustainable and inclusive development. However, there remains a big the gap towards economic equality.

Businesswomen are facing many difficulties which derive from the business environment, the pressure of work-life balance, from social stereotypes and misconceptions about the role of women, stereotypes about women's entrepreneurship and discrimination in doing business.

The WOE's ratio in Vietnam, despite an increase between 2011 and 2018, decreased in 2019 and 2020, and has not yet reached the target set out in the National Strategy on Gender Equality. Most of WOE's are either small, micro, and their average size is also smaller than that of men-owned enterprises (MOEs).

With the support from the Australian Department of Foreign Affairs and Trade (DFAT) through the Australia Supports Economic Reform in Vietnam Program (Aus4Reform), the Vietnam Chamber of Commerce and Industry (VCCI) prepares this report entitled ***"Business environment in Vietnam - An assessment from women-owned enterprises' perspective"***.

Following the first report published in December 2019, this is the second one which includes the assessments of WOE's on the business environment and is derived from the largest survey on Vietnamese private enterprises. The report is based on the extraction and analysis of data collected from over 10 thousand enterprises crossing all 63 provinces and cities nationwide. The report also attempts to analyze the qualitative changes in the local business environment by benchmarking similar data over the years.

Resources from WOE's need to be leveraged to foster economic growth and development, and creating an enabling business environment for WOE's to develop is obviously essential. Therefore, the publication and analysis of assessments and perceptions on the business environment from the WOE's perspective based on the latest 2020 enterprises survey to make recommendations for improvement is of great significance.

The report aims to offer immediate and long-term solutions to improve the facilitability of the business environment for WOE's in particular and to promote their development in general, supported by participation of all public and private stakeholders to enhance women's economic empowerment. Of which, improving the business environment is seen an impactful solution and this is also one of the priorities of the Government of Vietnam.

WOEs – AN OVERVIEW

Official statistics¹:

There are 242,326 active WOE²s over a total of 811,538 active enterprises across the country at December 31st 2020.

WOEs by forms – 2020

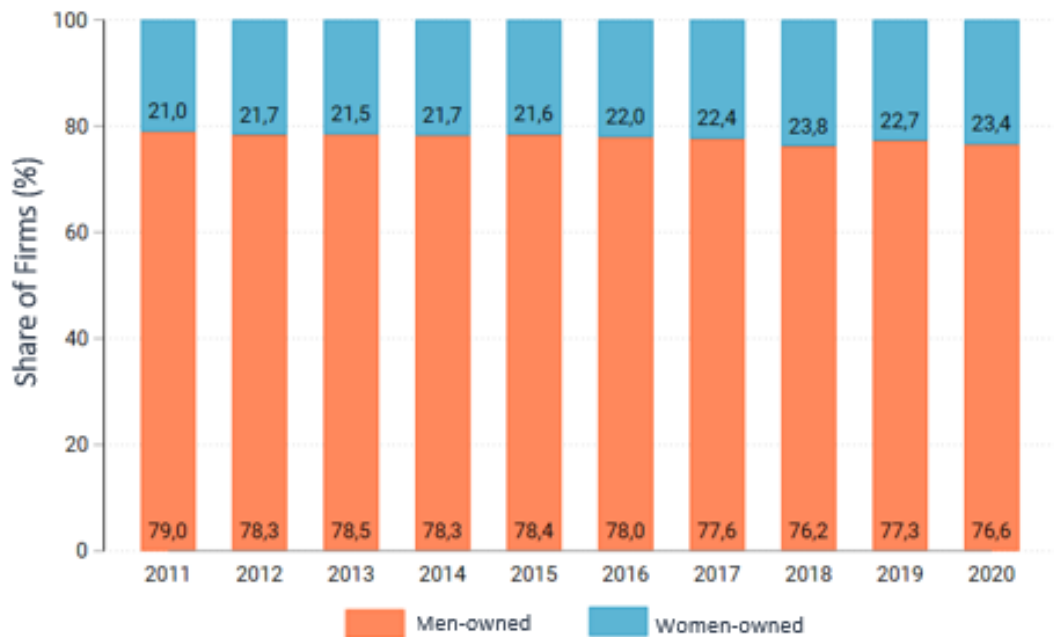
No	Forms	Quantity	Ratio
1	JSC	38,728	15.98%
2	Partnership	8	0.003%
3	Limited liabilities of two or more members	72,578	29.95%
4	One-member limited liabilities	120,608	49.77%
5	Private	10,404	4.29%
	Total	242,326	100%

*Source: Agency for business registration, Ministry of Planning and Investment

Data collected from PCI 2020 survey:

- WOE³s ratios³ in 2020 was 23.4%

Figure 1: Enterprises by owner' gender under PCI survey 2011 - 2020



Source: VCCI-USAID PCI Survey

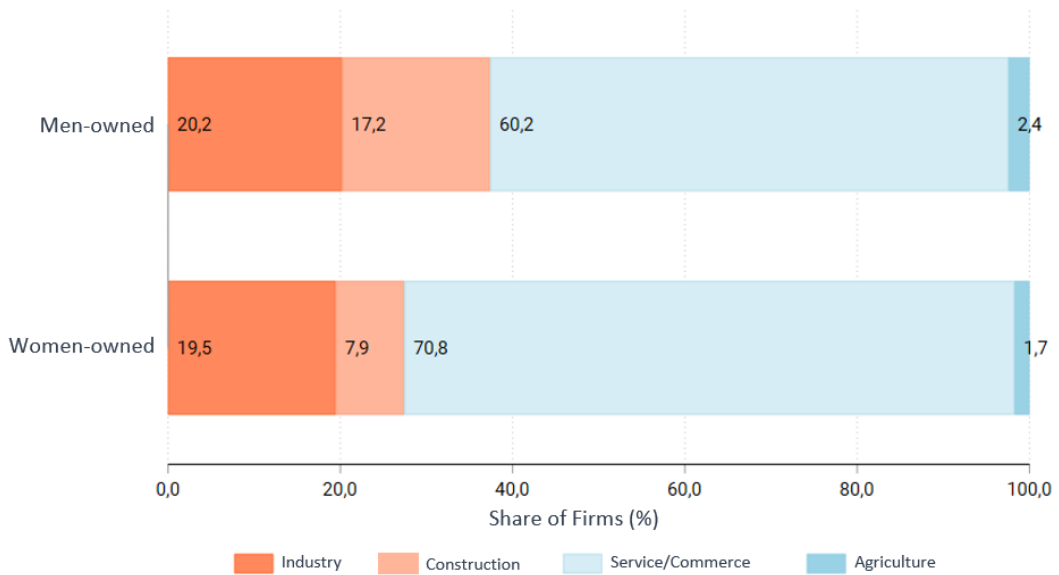
¹ Data provided by Agency for business registration, Ministry of Planning and Investment.

² Where the legal representative or owner is woman.

³ Where the General Director, or Director or Chairman of the Board of Directors is a woman; or at least 51% of share are owned by one or more female shareholders.

- WOE mostly operate in trade/services sector.

Figure 2: WOE by sector in 2020



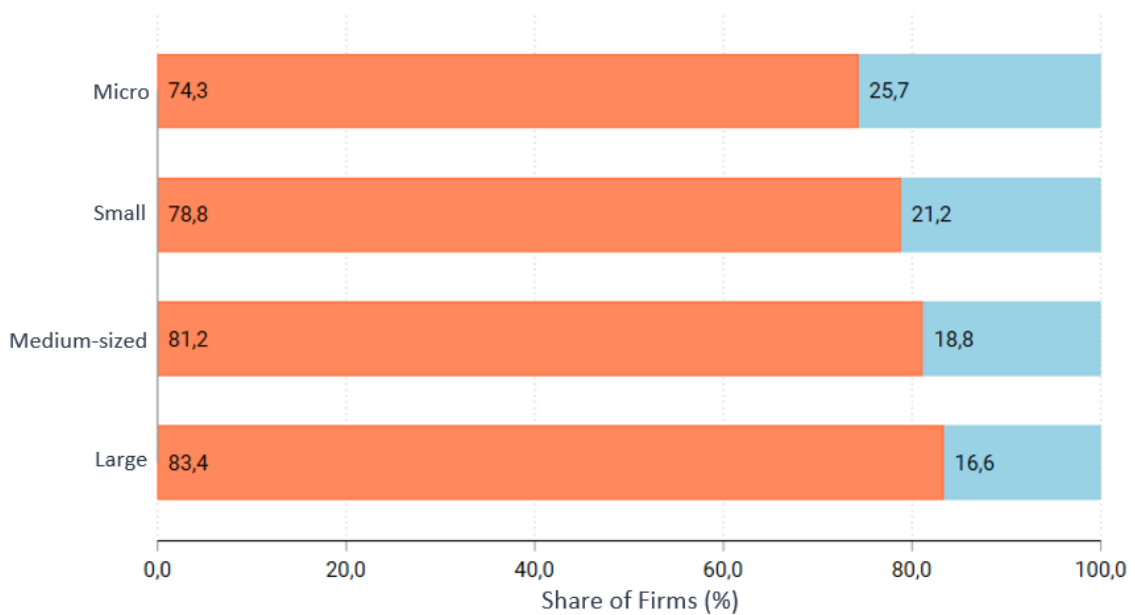
Source: VCCI-USAID PCI Survey

- WOE mostly originated from business household and main customers are local.

In the WOE’s customer base, most are local individuals (66.2%), 62.8% are local private enterprises, and 18.8% are public entities, 15% are State-owned Enterprises (SOEs). Less than 13% are customers with foreign elements (FDI enterprises in Vietnam, direct and indirect customers being abroad individuals or enterprises, foreign individuals in Vietnam).

- Small and micro enterprises are dominant (90.7%), only 2.2% are large.

Figure 3: Owner’s gender by firm size

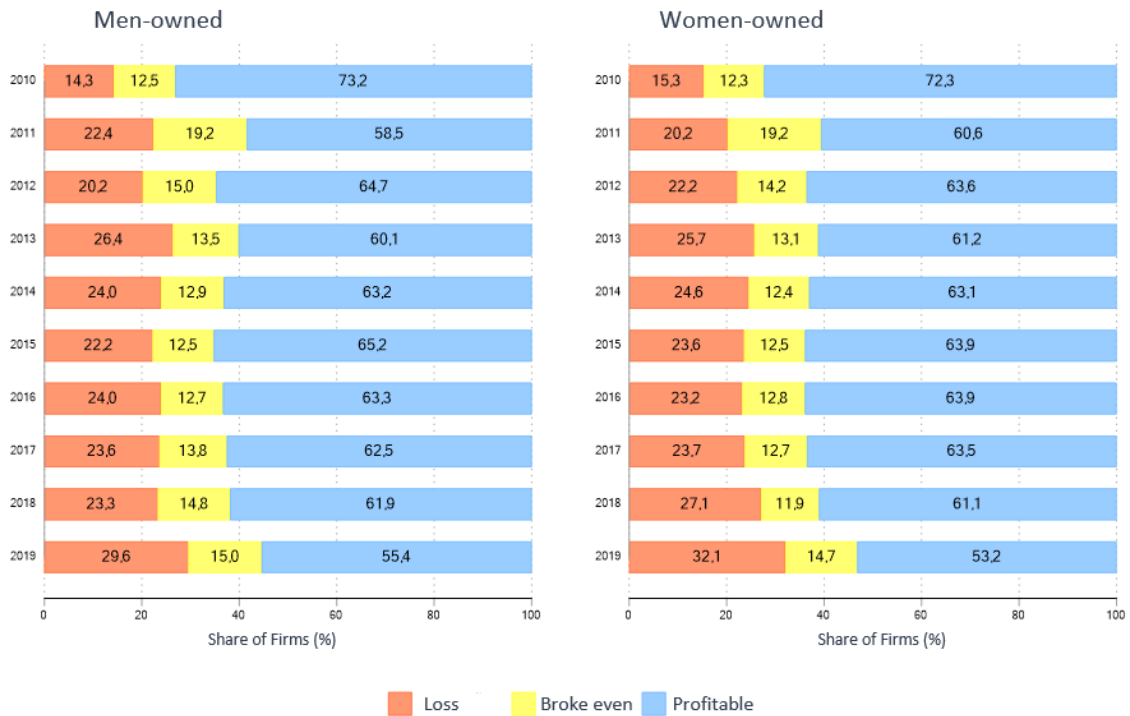


Source: VCCI-USAID PCI Survey

In terms of employee size observed over the last 10 years of the PCI survey, WOE mainly employ less than 50 each. Over the years, the WOE's total business capital volume remains modest, mainly between VND 1-5 billion, and has not changed significantly. Generally, the number of WOE having less than VND 5 billion business capital accounts for the highest proportion, about 67–80% of all WOE in the past 10 years.

- The WOE's performance in 2019 was worse than 2018 and was not optimistic. The proportion of profit-making WOE decreased y-o-y (53.2% vs. 61.1% in 2018) while that of loss-making WOE increased (32.1% vs. 27.1%).

Figure 4: WOE's business performance by owner's gender



Source: VCCI-USAID PCI Survey

Notably, 2019 was the year that has not been affected by the COVID-19 epidemic thus declining business results proves that the WOE face more difficulties and obstacles, including significant impacts from the business environment.

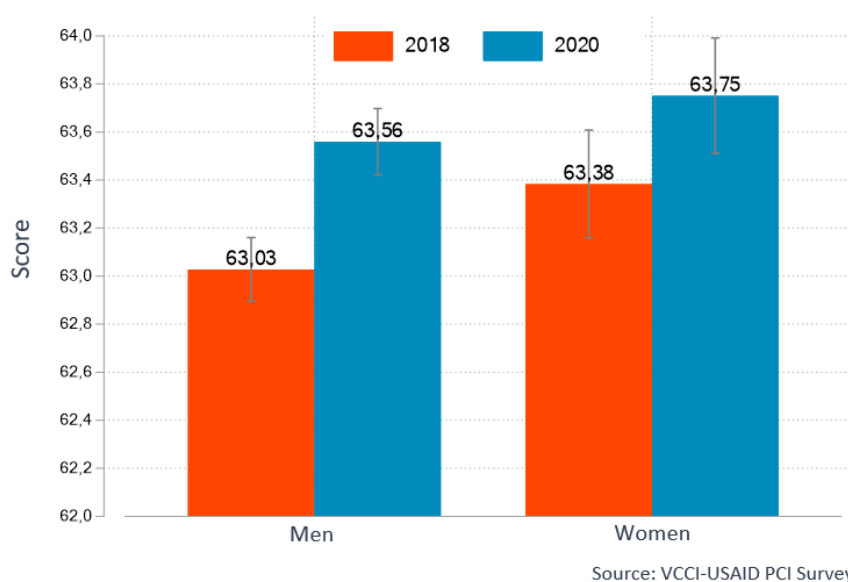
Not only does it decline over time, but also in the comparison with MOE, WOE business results show a decline in recent 2 years. The ratio of profit-making WOE declined, while that of loss-making WOE increased vs. MOE.

AN OVERVIEW OF THE BUSINESS ENVIRONMENT

Small improvement vs. PCI 2018

In general, WOE rate the 2020 business environment above-average level (63.75/100 points), with small improvement vs. 2018 (63.38 points). This means despite a small improvement was made, the business environment quality for WOE is still fairly average.

Figure 5: Overall assessment on business environment by owner's gender



In general, WOE offer a higher assessment on the business environment quality than that by MOEs. However, this gap tends to decrease, from 0.35 points in 2018 to 0.19 points in 2020. This reveals that improvement measures taken in the past two years have made a greater impact on MOEs than on WOE.

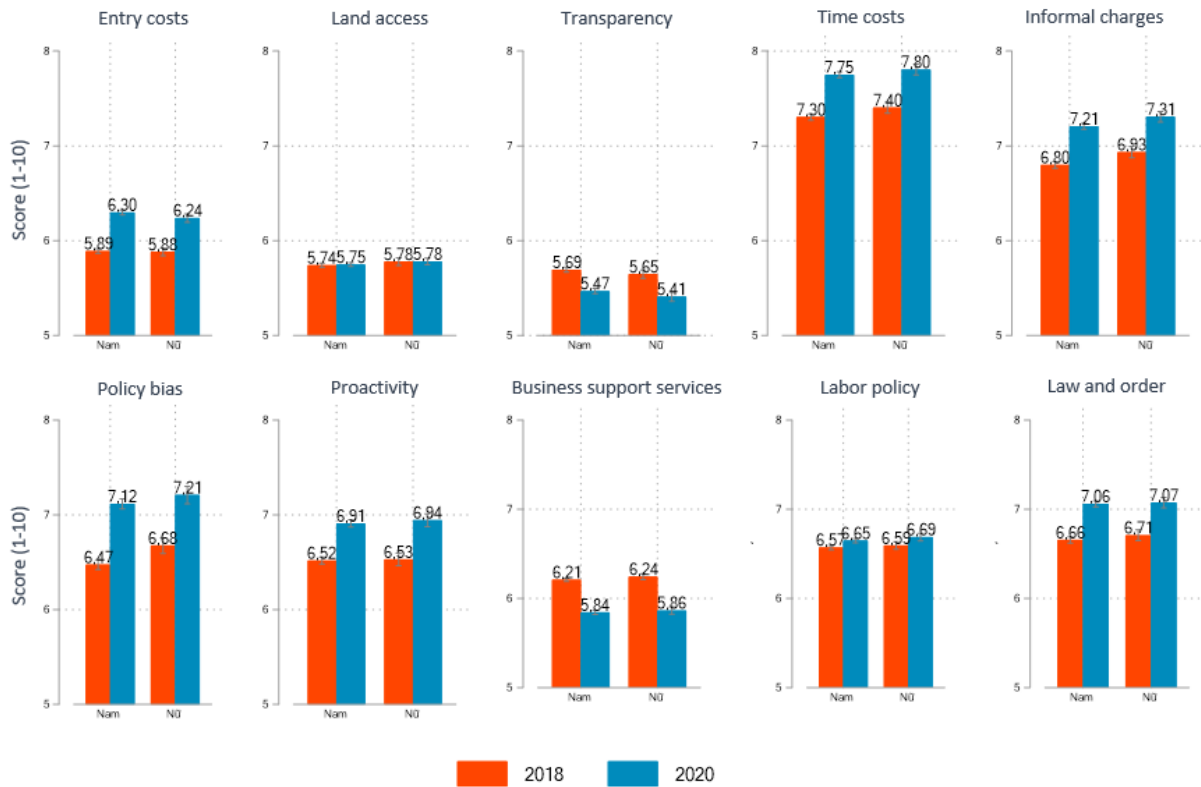
Indexes having improvements:

- Entry costs;
- Time costs;
- Informal charges;
- Policy bias;
- Proactivity;
- Labor policy;
- Law and order.

Three indexes unchanged and scored lowest (less than 6/10):

- Land access;
- Transparency;
- Business support services.

Figure 6: Changes in provincial economic indexes (a comparison of PCI 2018 vs. 2020)



Source: VCCI-USAID PCI Survey

BUSINESS ENVIRONMENT: POSITIVE MOVEMENTS RECORGNIZED

More equal business environment

Privileges for SOEs, FDI enterprises, and connected enterprises among government officials decreased.

However, there remains 57.1% of firms still agree that public procurement contracts, land and other business resources are mostly allocated to the firms closely connected with government officials.

The provinces are more dynamic and creative in creating a more favorable business environment, and the private sector's attitude toward business has improved.

49.3% of businesses consider that the provinces' attitude is positive.

More than 93.4% received feedback from the provinces after reporting difficulties and obstacles.

More favorable public administration procedures (Time cost)

Figure 7: WOE's assessment on the delivery of public administration



Source: VCCI-USAID PCI Survey

Actual time for completing administrative procedures (AP) is shorter than prescribed. The number of firms having to spend over 10% of time to learn and comply with regulations has also decreased (23.5% from 31.7% in 2018).

Inspection burden was reduced

In 2020, on average, each firm received 1.2 inspections on average. Only 3.4% of businesses received 5 or more inspections. However, there are still 13% of firms reporting that inspectors made troublesome, down from 16% in 2018.

Informal charges burden was substantially reduced

The proportion of businesses paying informal charges was on the decreasing trend. The troublesome in implementing public administration procedures was decreased.

In comparison to 2018, there was a decreasing trend in the proportion of firms paying informal charges. The troublesome in implementing public administration procedures was also assessed to be decreased, the concern of offering bribes to solicit favorable judgment was at 22.4%, down from 29.3% in 2018.

However, the percentages of firms paying informal charges in land-related procedures increases, from 25.3% in 2018 to 30.3% in 2020.

Law and order were improved

Quality of dispute settlement via court was improved.

The confidence on law and order was reinforced.

34.6% of firms considered that legal system provided mechanism for firms to appeal against officials' corruption behavior, and 89.2% considered that their property rights and contracts will be uphold amid business disputes.

83% considered that the costs (both formal and informal) are acceptable when their disputes are settled via court.

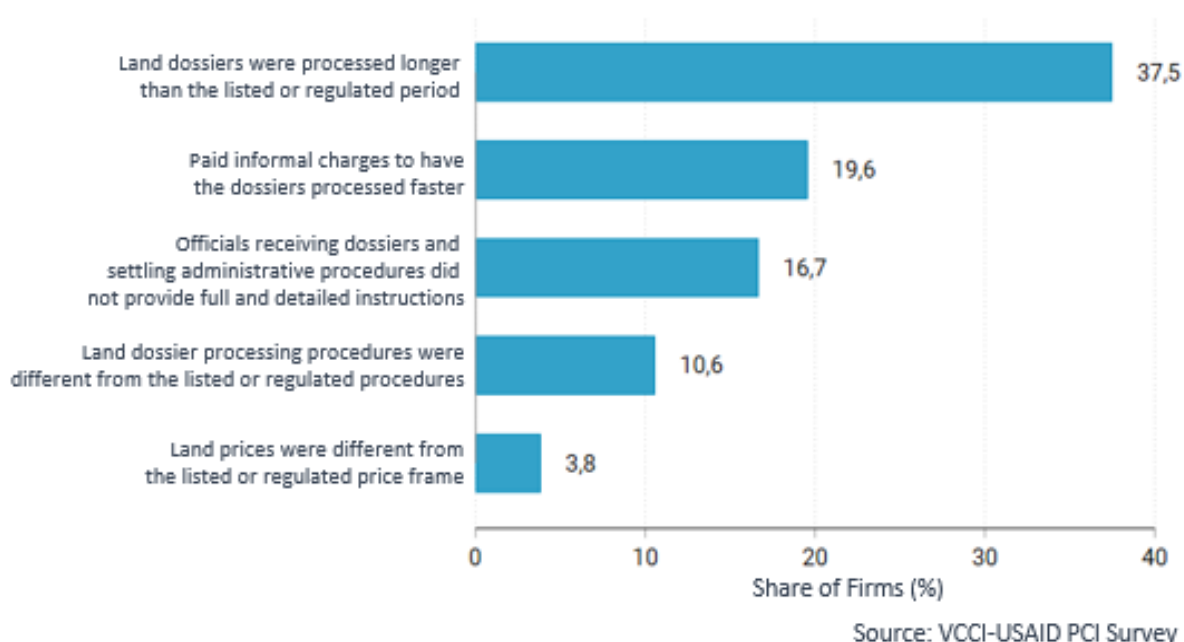
BUSINESS ENVIRONMENT: BIGGEST OBSTACLES TO IMPROVE

Unfavorable land access

Access to land and stable land use to serve business needs is a constant expectation by firms. For small firms, these are very difficult problem given their limited resources.

The current land-related APs, according to the WOE, remained challenging and greatly affects their production and business plans.

Figure 8: WOE's specific difficulties in doing land-related procedures.



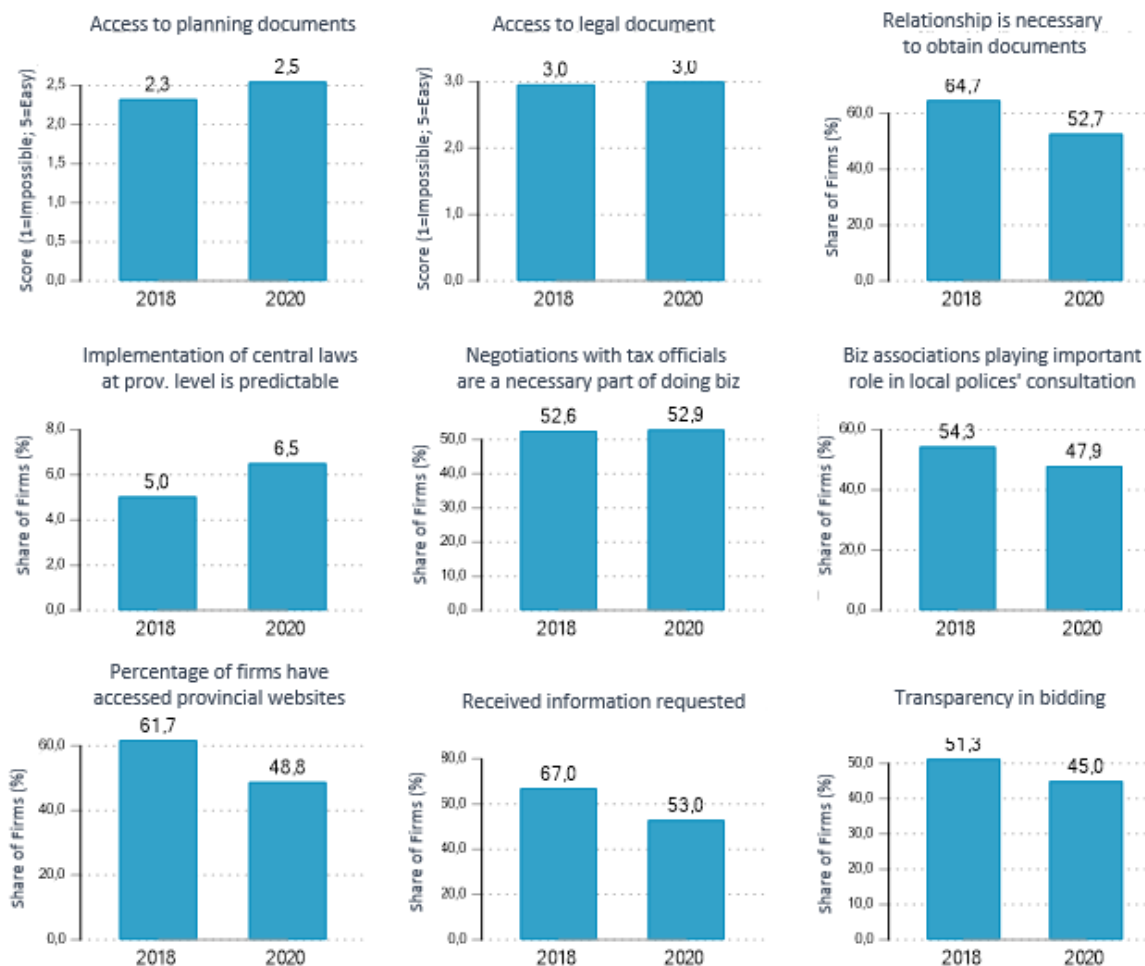
Time to complete land-related applications is considered the biggest difficulty. 37.5% of WOE's responded that the processing time is longer than that listed or written regulations.

19.6% responded that they have to pay informal costs when doing public APs. Officials who receive applications and handle public APs do not provide detailed and full instructions also make it difficult for firms. Firms also concern of their issues and land price are not handled properly under existing procedures and regulations.

Many of the WOE's face difficulty in expanding their business location, of which the biggest difficulty is complicated land acquisition and lease APs (39% of respondents said they faced this). The next one is inadequate land information (28.8%), provincial land planning did not meet their development needs is also a major obstacle (26.4 %).

Difficulty in information access

Figure 9: WOE's assessment on business environment transparency



Source: VCCI-USAID PCI Survey

WOEs responded that the easiness in access to legal normative documents was 3/5, while that to planning documents was only 2.5/5.

Although the score decreased vs. 2018, more than a half (52.7%) responded that they must have a relationship with provincial agencies to obtain documents. Only 53% received documents or information, which are not available on public channels, they requested for. The bidding information was not transparent, the openness and quality of provincial webpage was also low as only 48.78% have visited (a sharp decline from 61.73% in 2018).

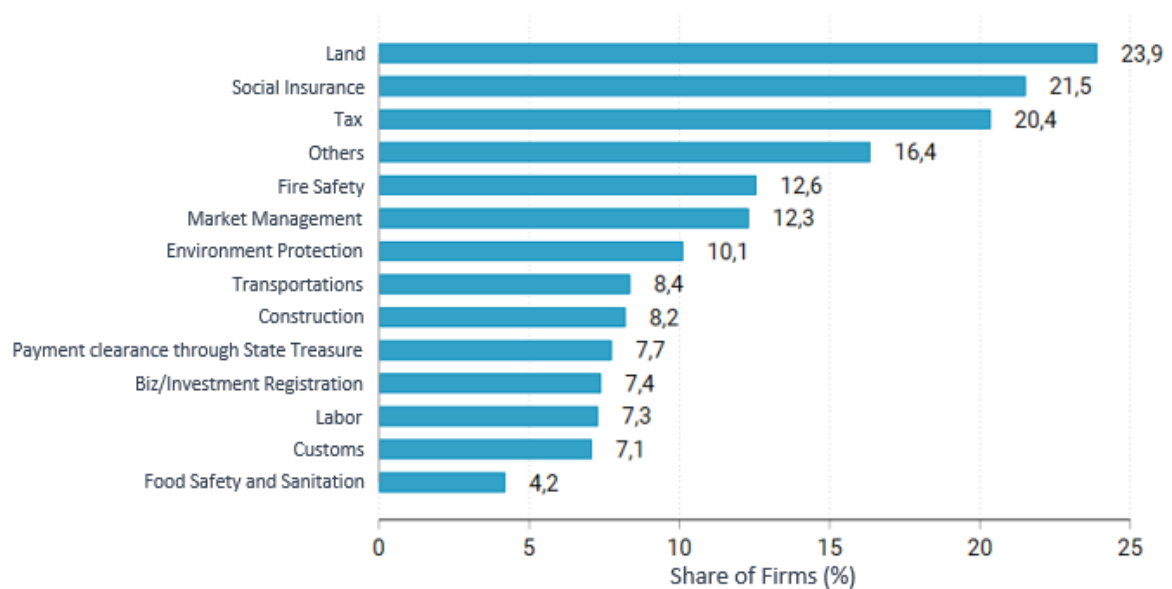
Worryingly enough, most of firms considered the implementation of central laws at provincial level is unpredictable, only 6.5% of them considered predictable. In terms of local policy development and consultation, only 47.9% of firms considered business associations play important role. The business associations, which represent the voices of businesses, are less likely to participate or be consulted in the policy development process has a significant impact on the quality of regulations that are supposed to be friendly and enabling.

During many years of PCI survey, land use maps and plannings were the biggest difficulty in information access. Although this information has a great impact on the interests of residents and investors, the disclosure of planning information and land use plans has been specified in a very specific manner, which is mandatory in The Land Law, the Anti-Corruption Law and many other regulations, but the implementation is still limited.

Public administration procedures in many areas remain troublesome

WOEs responded they face troublesome in 14 most frequent APs.

Figure 10: Areas in which APs are most troublesome to WOE
(% of firms consider procedures are troublesome)



Source: VCCI-USAID PCI Survey

The three most troublesome procedures are land, tax and social insurance, which almost all firms have to do.

Land access and land clearance are rated the most troublesome, which is similar to the assessment by WOE in land access provided above. Land-related procedures are troublesome because of long application processing time, firms have to pay informal costs, and officers who receive applications do not complete their assignments and other factors (figure above).

From regulations perspective, there remain overlaps, ambiguities and inconsistencies on land assignment and lease. The ambiguous regulations lead to inconsistent application among state agencies.

BOTH POLICIES AND SUPPORTING SMEs AT PROVINCIAL LEVEL ARE INADEQUATE

Policies

- Law on support for small and medium-sized enterprises (effective since January 1st 2018) provides the principle of priority to support Women owned SMEs. Ministries, agencies, and provinces are still developing legal documents as well as supporting plans.
- Decree 39/2018/ND-CP guiding the implementation of above Law remain incomplete, some of the provisions are ambiguous to implement at provincial level.
- Supporting businesses are also provided in other documents leading to overlapping and inconsistent in implementation.

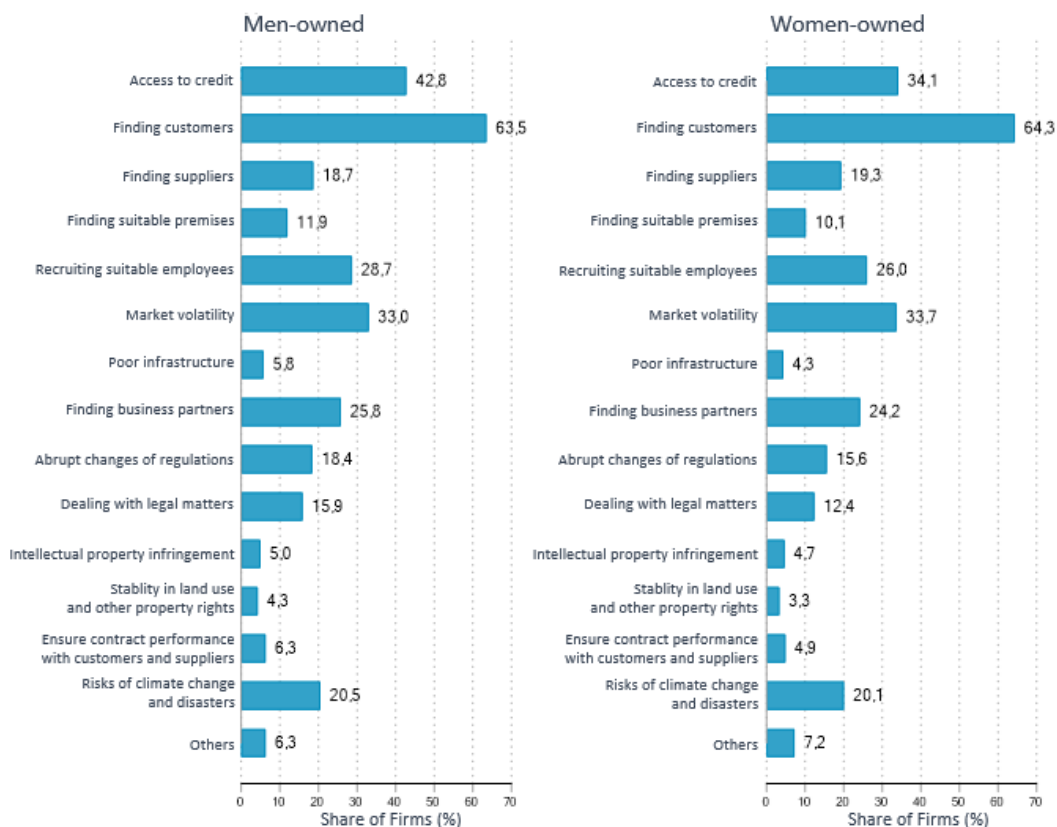
Supporting activities

- SMEs support plans and programs to implement the SMEs support law at provincial level: there are no specific targets and solutions to develop WOE.
- Implementation efficiency is not satisfactory: due to lack of proactiveness at provincial level; limited capacity of supporting staff, lack of knowledge on gender equality; the procedures for receiving support are complicated, the level of support is not yet attractive.

Lack of gender statistics: lack of ground to develop evidence-based policies.

THREE BIGGEST DIFFICULTIES WOEs ARE FACING

Figure 11: Difficulties faced by owner's gender
(% of firms facing difficulties)



Source: VCCI-USAID PCI Survey

Finding customers

64.3% of firms are facing this issue.

The smallest firms (in capital, labor), and youngest (years active) face the most difficulties. Big firms face more difficulties than SMEs.

Access to credit

34.1% of firms are facing this issue.

Firms in the agricultural sector and micro firms are the most difficulty in credit access.

Market volatility

33.7% of firms are facing this issue.

The bigger, the older firms (over 15 years active) are more affected.

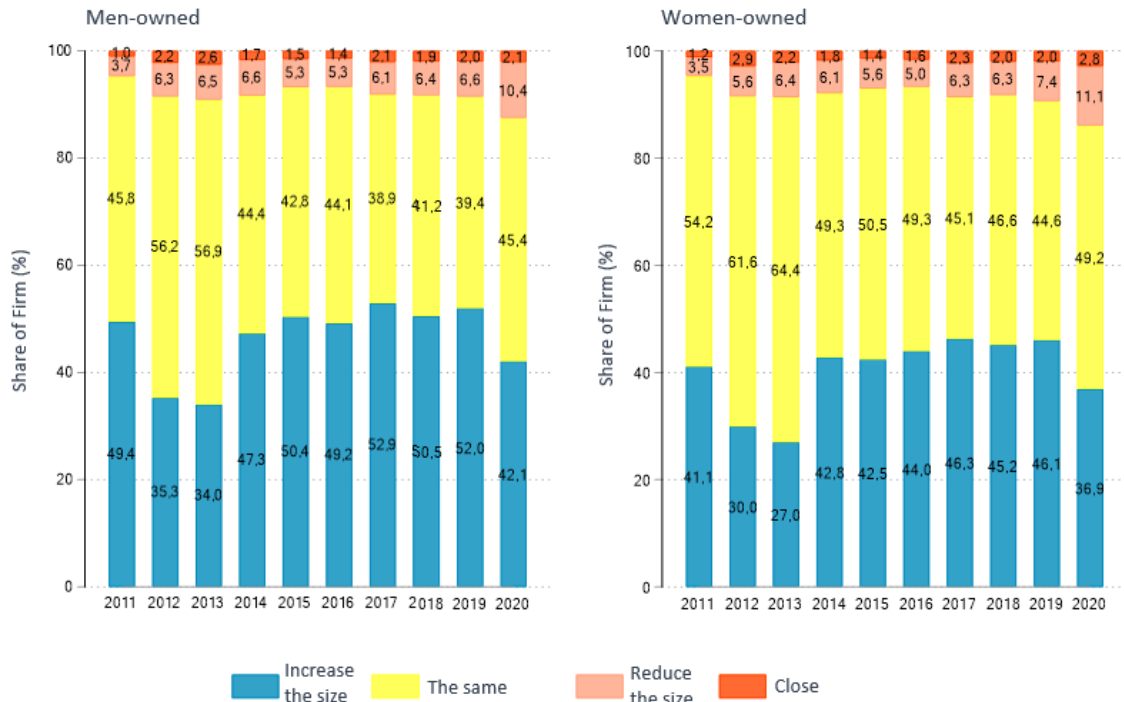
Firms in the agricultural sector and in the Northern mountainous region remain the most affected.

WOEs BUSINESS OUTLOOK

The optimism dropped the most in 2020.

13.9% of firms plan to scale down or close - the highest in the past 10 years.

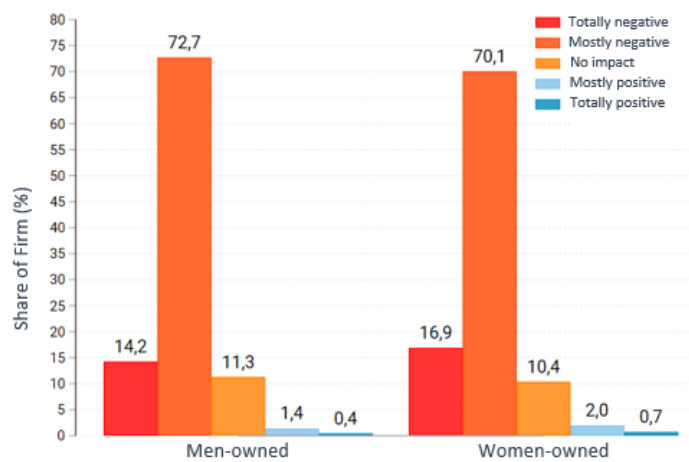
Figure 12. Business plan for the next 2 years by owner's gender



Source: VCCI-USAID PCI Survey

COVID-19 IMPACTS

Figure 13. COVID-19 impacts on WOE



Source: VCCI-USAID PCI Survey

87% of WOE were adversely affected, about 1/10 (10.4%) were not, and only 2.7% considered it to have a positive effect. This is because the WOE are mainly small and micro.

SUPPORTING WOEs - POLICIES AND REALITY

Vietnamese laws include many provisions on support/priority to WOEs, especially WO-SMEs. Law on support SME (article 5.5) clearly specifies the priority principle when supporting WO-SMEs.

However, the enforcement review shows that in the past two years, business support activities are still limited. Decree No. 39/2018/ND-CP guiding the implementation of the Law still has some problems. Some provisions therein are not strong enough to encourage SMEs, some key supports do not identify the level of support, making it difficult to implement at provincial level. SMEs are hesitant of undergoing many procedures, while the level of support is not adequate. The supports for WO-SMEs were not provided in the Decree, making WO-SMEs receive no targeted supports.

In reality, the delivery of support to WOEs at provincial level remains unsatisfactory. The interview results show:

- The provinces' SMEs support plans were not comprehensive:

+ *No specific support for WOEs:* However, only general support for all SMEs without specific regulations on WOEs;

+ *There is no specific target for WOEs:* In the SMEs development support plan, some provinces have set specific targets, e.g.: annual new firms growth, number of firms in the province, the number of new jobs created, the share of the private sector's contribution to the provincial budget etc... but lack of specific targets for WOEs;

+ Provinces are not proactive enough, only enforcing central policies according to the assigned targets in quantity, choosing activities that are easy to do, easy to achieve.

As to implement the Government's Resolution 35/NQ-CP dated May 16, 2016 on enterprise development up to 2020, 41/63 provinces and cities have set a target to develop the number of firms and pledged their commitments to VCCI. However, there is no target for the number of WOEs.

- Capacity to organize the deliver supporting activities is limited:

The support officers lack the ability to guide women in shaping their business ideas and business plans; lack of on-field and gender mainstreaming knowledge.

- Support content is not effective and is not beneficiary-centric:

The content is general and at medium quality, knowledge is not applicable to real business context; *unattractive:* for many WO-SMEs, the current support is too little while the procedure to receive these supports is complex, and therefore is not attractive enough for them to apply.

- Inappropriate training methods:

The traditional method which is currently mainly used no longer suit the WO-SMEs, due to difficulties in arranging time to participate; there are quite few IT-based trainings, and

on-field trainings are modest, although this is the most practical method and closely attached to the context and conditions of the firms;

- Inefficient information and communication:

Supporting information does not reach firms, businesswomen are unaware of any channel to advise and support them; there is no database to promptly collect data on women biz start up, feedback and suggestions from local women/WOEs on current policies and draft legal documents ...

- Awareness on gender equality is limited:

Awareness on gender equality is limited, especially in rural areas.

- Not paying enough attention to the human aspects in business culture that women are interested in:

Criteria of honoring businesswomen often based on their success (finance, size, contribution to budget), and not about building fair working environment, joining hands to protect women workers from issues of domestic violence, personal capacity development for women workers, support for women biz start up ...

- The role of businesswomen clubs remains weak:

Activities are mainly formal-driven, not those which are practical, attractive and specific to meaningfully support each other to develop capacity for businesswomen as well as to improve firms' competitiveness, have not yet attracted the attention and participation of WOEs. Relationship between local women's unions and women's business clubs is quite disconnected.

Lack of gender statistics

Currently there is no official statistics from state agencies on WOEs and their status. There is not enough specific information to capture the WOEs' current status for taking solutions on timely manner.

Short and middle term solutions

Fine-tuning legal and policy frameworks to promote women entrepreneurship and WOE development.

- ✓ Evaluating the enforcement of SME support law, especially on access to information on SMEs supports, procedures of receiving support for WO-SMEs. Such evaluation will serve the amendment of SME support law.
- ✓ The Government considers incorporating the facilitation of WOE into its Resolution on improving the business environment and enhancing national competitiveness to promote gender equality in doing business thus contribute to the achievement of SDGs.
- ✓ With regards to other policies and regulations, the impact assessment and mainstreaming gender issues into the policy should be done prudently.

Improving business environment, especially in the most challenging areas.

- ✚ Reforming public administration procedures, reducing compliance costs.

Accelerating reform of all business-related procedures, especially in land access. Improving quality of procedures, reviewing and further streamlining procedures, simplifying and optimizing procedures implementation, reducing troublesome in doing procedures, minimizing inspection.

Reducing business conditions, reducing burdens in applying and granting business certificate and professional permit.

- ✚ Improving disclosure and transparency

Provincial agencies shall strictly execute their mandates to provide information as requested by firms, disclose and facilitate firms' access to information, proactively provide information to firms should there be any changes in the provincial regulations or policies (via electronic channel/website).

- ✚ Creating a fair environment

State agencies shall eliminate their preferences to large firms, SOEs, FDI, connected firms. Allocating resources (attention, budget, personnel) to efficiently enforce support policies to SMEs, including WO-SMEs.

Improving capability to enforce existing supporting policies

- ✚ Concrete action plans are required at provincial level and the achievement should be assessed independently;
- ✚ Improve business and gender equality knowledge for officers who enforce supporting policies;
- ✚ Support credit access;
- ✚ Improve quality of business support service;

- ✚ Enhance linkage between businesswomen, clubs/associations, financial institutions to support firms;

Considering to remove awards causing gender prejudice and gender burden to businesswomen: re-considering some existing movements “(women should be) good at both business and house work”; “4 top quality: confidence, self-esteem, faithfulness, hard-working” to reduce gender prejudice and burden on business women.

Middle and long term solutions

Developing a WOE's development strategy which include priorities and concrete participatory implementation measures

The overall objective is to enhance economic empowerment for women via creating an enabling business environment and promoting their business potentials, thus contribute to the development of both existing and new firms, jobs, and economic growth.

The long-term objective is to build a startup ecosystem for businesswomen to thrive.

The mid-term objectives include:

- Improve the business environment, opportunities and conditions for business women to thrive, and engage all relevant stakeholders in the Strategy implementation process;
- Increase the proportion of WOE's;
- Increase the proportion of female employees proportionated with the size of the labor force.

In order to realize these strategic priorities, Government and relevant organizations are expected to work closely with the private stakeholders who involve the implementation of economic and social policy to implement supporting measures at both local and national levels, consequently encourage and motivate women business startup.

The Government is recommended to study and propose solutions:

- Create a facilitating environment for business women development;
- Ensure a systematic support for the WOE's development;
- Create the infrastructure to support and promote WOE's development;
- Promote and build networks and consultation on policy and law development.

Create a facilitating environment for business women development

Measure 1: Cooperate to develop and implement policies to promote businesswomen at both national and local levels.

Measure 2: Analyze and evaluate regulations related to women to have a full assessment of the current legal status and the ability to improve in the future.

Measure 3: Building a database and figures to observe women's business performance at the national level (GSO, Business Development Department, Business Registration Administration), and at provincial level.

It would be difficult to conduct the evaluation and analysis without monitoring statistical data and policy making by a registered database. Evidence-based policy is the proper option to develop and implement policies to promote WOE in the future.

Access to capital is one of the three biggest difficulties facing WOE, of which one of the biggest barriers hindering WOE's access to finance is the lack of reliable data disaggregated by gender. This prevents financial institutions from offering appropriate support to WOE. As commercial banks better understand the existing market potentials and the challenges which WO-SMEs are facing at both central and provincial level, they will be able to develop strategies and service bundles to better meet the financial needs of businesswomen, thereby they (banks) will also benefit from this segment.

Measure 4: Raising awareness on the role of women in general and in the economy in particular. The target include: (1) women themselves (self-confidence), (2) family members (respect, balance and share family and social works), (3) community and communication agencies (awareness on the role of women, eliminating gender prejudice/discrimination, not to advocate and honor unequal traditional values), regulators, policy activists (improving understanding about true gender equality, mainstreaming gender issues into policy development and implementation).

A specific strategy shall be designed for each target group.

Ensure a systematic support for the WOE development

Measure 1: Improve access to funding sources with favorable conditions and preferences on interest and repayment (provinces shall cooperate with credit institutions, NGOs to support WOE to access these funding sources).

Measure 2: Shifting from "Social support recipient" into self-employed.

Measure 3: Support WO-micro/household businesses to transform their business models via specific supports (MPI, PPCs).

Measure 4: Acquire necessary knowledge and skills (on corporate governance, market development, industry-specific information, IT application, business partnership, labor training, etc.): Develop training programs, the business support services provided by both the State and the private actors.

Measure 5: Increase women's participation in the policy development related to women's entrepreneurship and doing business.

Central and provincial agencies need to consult/dialogue with businesswomen, women's business clubs/associations, and gender experts on related issues. WOE representative organizations also need to improve their capacity to participate in law and policy development.

Create the infrastructure to support and promote WOE's development

In reality, business women have to take additional burdens and obstacles, therefore it is necessary to create the infrastructure to support and promote WOE's development.

Measure 1: Develop new and modern education and training programs on entrepreneurship with special focus on businesswomen (state agencies, research, training institutions, scientists, and business support institutions).

Measure 2: Strengthen the capacity to provide training and advisory services for women at their start-up and doing business later, especially in access to capital (business support institutions).

Cooperate with provinces to integrate WOE's development in the provincial/regional development programs. This partnership is crucial as provinces need to support and motivate WOE's, and these will provide multi-faceted benefits as the local WOE's are strengthened (provinces, WOE's, organizations representing WOE's).

Measure 4: Cooperate with scholars to study businesswomen projects, share the lessons of both success and failure and use case studies, all incorporated into training materials, to be used more in the form of supporting firms, develop training programs which are tailored, modern, and driven by WOE's' needs. Allocate governmental resources to universities/faculties of economics to train business-oriented young female students after graduation or retrain if they wishing to start up a business.

Measure 5: Developing an up-to-date database of WOE's registration, which is essential in the evidence-based policies development (governmental statistics agencies).

Promote and build networks and consultation on policy and law development.

Promoting women's entrepreneurship is an important priority. The implementation of this priority does not only focus on women, but also policy makers and entire society. It is necessary to develop business women associations, associations in women's start-ups to protect the interests of WOE's, to comment on public policies as well as to promote cooperation and strengthen the relationship of business women. Therefore, women should be encouraged to join organizations, business clusters and other forms of associations so that they can strengthen their businesses as well as themselves as entrepreneurs.

Measure 1: Communication and promoting women entrepreneurship.

Measure 2: Improve capacity for business women associations (association governance, members servicing, build effective revenue generating models, ICT application, comment/consult on laws/policies development, strengthening domestic and foreign relationships...).