

Legal Frameworks for Fair and Equitable Treatment in Business: Some Reflections from a Developing Country

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Abstract - This research examined the challenges and recommendations to improve the current legal system in Vietnam's business environment, namely on labour rights, anti-discrimination policies, corporate governance and transparency. Currently, Vietnam has followed a market-oriented economy, but it still faces significant challenges to ensuring fair and equitable treatment despite having a comprehensive legal system. The study employed a qualitative approach to analyze legal texts and secondary data from academic and government reports. As such, the results reveal that the implementation of fairness legislation has difficulties because of lack of enforcement, bureaucratic processes and barriers, corruption and cultural conflicts. There are also high regional economic differences, and the high incidence of the informal economy increases inequality in the workforce. The findings recommend that there has been a greater regulatory capacity, increased transparency among firms, better protection of workers' rights, and tackling discrimination through stronger anti-discrimination laws and enforcement. The research promotes the formalization of informal businesses and increased diversity in the workplace. The findings highlight the need for continued efforts to operationalize legal reforms for a more level playing field. The outcomes conclude that Vietnam has to be more internationally fitted in its legal reform endeavour and effectively address local factors to construct a more equitable and inclusive economy.

Keywords: Competition Laws, Corporate Governance, Enforcement Mechanisms, Equitable Treatment, Legal Frameworks

I. INTRODUCTION

Global economy encourages the close relation among countries. In this circumstances, fair and equitable treatment (FET) is considered as one of the most important values in any country in the age of globalization, especially in the business sector (Islam et al., 2018). These principles have an impressive influence on ethical business practices and ultimately lead to the long-term success and sustainability of a business (Abramovich & Vasiliu, 2023). For companies competing in a global marketplace, treating all stakeholders - employees, customers, investors, and communities - has become an important business differentiator. The legal systems promoting FET are necessary for governing

commercial activities and for keeping competition fair, as well as stabilization of the economy and society. The term "fairness" in business generally means what is fair and equitable in the treatment of individuals and institutions in terms of business transactions (Dolzer, 2005). The business activities include equal opportunities, transparent decision-making, fair wages, and protection against exploitation (Qian & Ghaziani, 2024; Mezher & Oleiwi, 2022). Equity, however, extends further than fairness, and it also focuses on discrimination based on gender, race, ethnicity, socio-economic status, disability, and other inherent attributes in business practices. The overlap of these two principles creates the basis for a fair and equitable business environment that promotes trust, innovation, and the free flow of goods, services, and ideas. In many developed economies, legal instruments that protect FET in business have been established, providing guidance and instruments of enforcement (Krsmanović et al., 2022). However, the situation in developing countries has experienced more complicated challenges. In those countries, legal systems may still be evolving, institutions weaker, and cultural and economic divides may spread and reinforce inequality. This is particularly true in Southeast Asia, where countries such as Vietnam have experienced a tremendous economic transformation over the past few decades (Mai, 2019). Currently, Vietnam has put utmost effort into developing its socio-economy, but the country has still not solved the long-lasting issues of conducting an unfair and competitive business environment. Since the introduction of Doi Moi (renovation) policies by adopting a more socialist-oriented market economy in 1986, the country has witnessed comprehensive legislative reforms, especially the launch of renovated business regulations. Nonetheless, the country has still had difficulties addressing some systematic issues, such as inefficient law enforcement, corruption, and social inequalities (Tuan, 2020).

The research delves into the challenges of complying with FET and the degree to which it is codified in Vietnam's commercial setting inside the legal system. Fair competition, prohibition of discrimination, defence of labour force rights,

and updating corporate governance and commercial activity are some of the goals (Ferdiansyah et al., 2023). examined in relation to the commonly used contemporary legal normative labour texts. Yang (2025) contends that cultural and economic diversity and inadequate institutional capacity provide potential obstacles to the execution of existing statutory frameworks, which in turn affect the impact of law changes on practice. In developing nations, where laws frequently balance individuals' rights and interests and economic growth, the study sheds light on FET in those contexts. Corporate operations in developing countries like Vietnam need to be grounded on theoretical and practical ideas of justice (Van, 2024; Gaukrodger, 2017; Wu, 2025). Although Vietnam's legal framework has advanced, there are still major gaps in FET, particularly in the underground economy (Huang, 2024). It is difficult to create a fair economic climate since many unethical activities, such as exploitation of workers, discrimination against women, and unfair competition, continue (Wan & Hu, 2024). In addition, this study checks if the measures taken so far to address these issues are sufficient in light of existing international law and determines if any additional remedial or other measures are necessary. It explores the role of international frameworks and organizations in Vietnam's approach to legal reforms and business regulations, such as the World Trade Organization (WTO), Organization for Economic Cooperation and Development. (OECD), and the International Labour Organization (ILO). (De Brabandere, 2017; Alam & Murad, 2020) Nevertheless, it is important to consider that international principles are insufficient, and local implementation, through good governance and justice, will ensure the adoption of FET norms in the Vietnamese business context (Yang, 2025; Yu, 2024). This study examines legislative reforms introduced in Vietnam to improve business practices, such as the 2019 Vietnam Labor Code, the 2018 Vietnam Law on Competition, and gender equality policies (Huong, 2024; Le, 2025). However, it addresses challenges in enforcement, such as corruption and inadequate legal infrastructure (Dabbah, 2010).

The research examines the influence of the corporate community on the promotion of social responsibility. It is now widely accepted that corporate social responsibility is a vital part of business practice in a world economy. It can improve business transparency, enforce fair labor practices, and enhance overall corporate governance in Vietnam (Orazalin & Baydauletov, 2020; Huyen et al., 2024). The study on the FET legal system in Vietnam, nevertheless, provides potential modifications for enhancement. Suggestions are offered to Vietnam on the reform of the law for the convenience of businesses and individuals. Moreover, the research implications provide potential legal changes, international influences, and local initiatives to support a more fair and equitable business environment in developing countries like Vietnam, which is advantageous to business and society (Hendley et al., 1997). Hence, this study purposefully answered the following questions:

1. How effective are Vietnam's legal frameworks in promoting business fair and equitable treatment?
2. What challenges exist in enforcing labor rights and anti-discrimination laws in Vietnam's informal economy?
3. How do international trade agreements impact legal reforms in Vietnam?

II. METHODS AND MATERIALS

This research employs qualitative data to overview secondary sources with a legal analysis of the notion of fair and equal treatment following the concepts proposed by Weimer & Vining (2010) to assess the legal framework governing fair and equal treatment in Vietnam's business environment. Specifically, secondary sources cover official Vietnamese legal documents, including the 2019 Vietnam Labor Code, the 2018 Vietnam Law on Competition, and other relevant regulations that regulate company practices, labor rights, anti-discrimination, and corporate governance (Trinh, 2024). The legal documents are analyzed to comprehend its stipulations and efficacy in promoting FET in business. Furthermore, the study exploits the secondary sources such as scholarly papers, governmental publications, and reports from international organizations to provide significant insights into the FET in business (Menell & Scotchmer, 2007).

III. DISCUSSION

3.1. Overview of legal frameworks for fair and equitable treatment in Vietnam

In the globalizing and changing economic context, FET in terms of business is a cornerstone for business, employees and community welfare. As economies grow and become more interconnected, the need for robust legal frameworks to ensure fair and equal treatment becomes even more critical. As an emerging market economy in Vietnam, the legal system has been changing significantly towards greater international norms to balance the requirements in the context of a transitional economy. As a result, Vietnam's legal system has been driven by the transitioning of its economy from a centrally planned to a market-oriented economy in the late 20th century (as shown in Table 1). The adoption of the 1986 Renovation (Đổi Mới) introduced a range of radical changes, focusing mainly on market reforms and the encouragement of foreign investment. As the country converts to a market economy, great efforts have been made to develop laws governing business operations and safeguarding the interests of individuals and businesses (Mai, 2019; Van, 2024). Vietnam's legal system is based on civil law traditions, and its structure includes various rules, regulations, and decrees passed by the National Assembly, the Government, and the Ministries. These legal instruments are designed to support the functioning of a market economy while upholding FET in business operations (Morgera, 2024; Tuan, 2020; Leipziger, 2016). However, despite the fact that these frameworks seem to be good on paper, the effective implementation and enforcement of these laws present ongoing challenges,

particularly when it comes to ensuring that all businesses and workers, in even the most vulnerable sectors and rural areas, are treated equally.

TABLE I SUMMARY LEGAL FRAMEWORKS FOR FAIR AND EQUITABLE TREATMENT IN VIETNAM

	Legal framework	Focus	Key issues addressed	Challenges
1	2010 Vietnam Law on Persons with Disabilities	Protection of people with disabilities, employment mandates for companies	Mandates employment of people with disabilities, provision of accessible workplaces, equal employment opportunities	Limited enforcement, societal barriers, lack of accessible workplaces, challenges in employment opportunities
2	2018 Vietnam Law on Competition	Regulates anti-competitive practices such as monopolies, price-fixing, market power abuse	Fair competition, consumer protection, elimination of monopolistic practices, market access	Under-resourced enforcement bodies, SMEs unaware of legal requirements, ineffective implementation
3	2019 Vietnam Labor Code	Labor rights, working conditions, wages, dispute resolution mechanisms, and workers' protection	Freedom of association, right to strike, protections against unfair dismissal, minimum wage, safe working conditions	Inconsistent enforcement, informal sector exclusion, low wages, unsafe working conditions
4	2019 Gender Equality Law	Gender equality, wage equality, opportunity equality, protection from discrimination in the workplace	Equal treatment for men and women, maternity leave, discrimination prevention in hiring practices	Gender pay gap, underrepresentation of women in leadership, biased access to education and training
5	2019 Vietnam Corporate Governance Code	Corporate governance, transparency, accountability, shareholder rights, ethical business management	Transparency in financial reporting, management structures, board compensation, fair treatment of shareholders	Slow implementation in state-owned enterprises (SOEs), unclear management structures, weak accountability mechanisms

One of the primary legal frameworks to secure FET in Vietnam's business environment is the 2019 Vietnam Labor Code. The Code is the foundation of the country's labor law, dealing with labor rights, working conditions, wages, and dispute resolution mechanisms (Martins, 2015; Huong, 2024). The 2019 Vietnam Labor Code provides fundamental rights for workers, such as the right to freedom of association, the right to strike, and protections against unfair dismissal. It even offers numerous protections for workers in Vietnam, including a minimum wage, guarantees against exploitation, and safe working conditions. Employers are legally required to issue employment contracts to employees, specifying terms of employment, wages, benefits, and working hours. The Code stipulates annual, sick, and maternity leave so that employees are not unjustly denied the basic rights on account of sickness or maternity in their lives (Le, 2025). Despite these protections, the application of labor laws in practice is often inconsistent, particularly in the informal sector and in rural areas, where a large portion of the workforce is engaged. Many workers in these areas, particularly in industries such as agriculture, construction, and textiles, need to address issues such as low wages, unsafe working conditions, and a lack of legal protection. Additionally, workers in the informal sector are typically not covered by the 2019 Vietnam Labour Code, contributing to inequalities in FET (Tuan, 2020). Besides, gender equality has been a significant area of focus within Vietnam's labor laws. The 2019 Vietnam Labor Code presents regulations against gender discrimination, in particular regarding wage and opportunity equality between men and women. Women are entitled to additional rights, such as maternity leave and protection from discriminatory hiring practices. However, gender inequality in the workforce remains a challenge, particularly in terms of the gender pay gap and the underrepresentation of women in leadership

positions (Emami, 2021; Morgera, 2016). In response to these challenges, the Vietnamese government has introduced a variety of initiatives aimed at enhancing gender equality in the workplace. For example, the 2006 Vietnam Gender Equality Law promotes gender equality in all aspects of social and economic life, including business. Although such legislation has led to some improvements in gender equality in some aspects, it has still left considerable problems relating specifically (Masselot, 2007) to the advancement of most women in their careers, biased access to formal education and training, and the reinforcement of stereotypical societal norms.

Furthermore, discrimination in trade can be categorized in many forms, such as gender or racial discrimination and discrimination based on disability or social status. To address these issues, Vietnam has promulgated a variety of anti-discrimination laws to promote an environment of equal treatment in the workplace (Huong, 2024; Gupta, 2013). The 2019 Vietnam Labor Code outlines the provisions to prohibit discrimination based on gender, age, disability, or ethnicity. The provisions stipulate that all individuals have equal access to employment opportunities and fair treatment in the workplace. However, though the legal systems of Vietnam have reformed to provide the best legal protections, the major problem of discrimination has not been entirely resolved (Le, 2025; Dolzer, 2014). In addition, the 2010 Vietnam Law on Persons with Disabilities mandates that companies employ a certain percentage of workers with disabilities, providing a legal basis for protecting this vulnerable group. In reality, the enforcement of these provisions has shown ineffective as many persons with disabilities have reported having little access to employment due to societal attitudes and a lack of accessible workplaces. Similarly, the employment of ethnic

minorities is still problematic due to racism in education, employment, and business opportunities. Similarly, the employment of ethnic minorities remains problematic as a result of bigotry in the realms of education, employment, and business opportunities. In the business environment, ethnic minorities in Vietnam, particularly those from remote and rural regions, are generally treated with less favor. The causes of the problem can be explained by the pressures of education, finance, and market networks as indicated by (Tuan, 2020; Van LAM, 2025) on these minorities in their struggle with the majority Kinh, the dominant group. However, racial inequality and discrimination in the workplace remain problematic, and efforts to address these issues are necessary. A crucial instrument for fostering equity in Vietnam's business environment is the 2018 Law on Competition. This statute stipulates anti-competitive business activities such as price fixing, monopolies, and abuse of market dominance. Further, it enforces the growth of a dynamic and competitive market, protects buyers, and ensures fair competition. Limitations on market access and monopolistic activities that harm consumers are fundamentally intended to be removed by the 2018 Law on Competition.

Price fixing, collusion, and the misuse of dominant market positions are typical examples of anti-competitive activities that businesses are also regulated to prevent by law. Vietnam Competition and Consumer Authority (VCCA) is in charge of investigating claims of anti-competitive actions and enforcing these laws. The Competition Law is still experiencing challenges with its implementation, despite the fact that open standards for equitable market behavior are being codified (Zimmer, 2007). Even though transparent rules for fair market practices are being enshrined, the Competition Law still faces implementation problems. One of the primary barriers to effective enforcement is the lack of resources and personnel at the VCCA, which sometimes hardly manages to investigate and prosecute offenders (Haynes, 2013; Le, 2025). The most significant challenge to effective enforcement is that the VCCA is under-resourced and does not have the necessary capacity to investigate properly and, in some cases, prosecute offenders. Moreover, the business community of Vietnam, even the SMEs in particular, may not fully understand the legal requirements, causing unaware violations of competition laws. Good corporate governance is also a significant part of ensuring FET in the business sector. The 2019 Vietnam Corporate Governance Code of Best Practices (the Corporate Governance Code), introduced in 2015, provides guidelines for businesses to enhance transparency, accountability, and fairness in their operations. This Code, addressing the importance of protecting the rights of shareholders, ascertains that businesses are managed ethically, and promotes transparency in financial reporting. Hence, it specifies the rights of shareholders and provides guidelines for board structure, executive compensation, and financial reporting. These provisions are supposed to allow businesses to operate in a manner that is transparent and fair to all stakeholders (Van LAM, 2024; Le, 2025). However, in practice, the

implementation of corporate governance reforms has been slow, particularly in state-owned enterprises (SOEs) and family-run businesses, where management structures are often unclear, and accountability mechanisms seem weak.

In addition, the Vietnamese economy is highly dependent on the role of SEOs, which have been accused of long, poor governance. SOEs might have the same legal liabilities as private market subjects, but they tend to be less transparent and accountable. This has raised concerns about inefficiency, corruption, and the unfair distribution of business opportunities. Consequently, the government has attempted to reform the governance of the SOEs, but this situation has not achieved much progress. Despite the promulgation of many reformed legal frameworks in Vietnam, several challenges still arise in the implementation of FET in the business environment (Mai, 2019). These obstacles might be a loophole in the effective enforcement of laws, social beliefs, and regional differences. So, the Vietnamese State must reform the legal system, improve law implementation, and change societal mindsets. Currently, Vietnam has enacted many normative legal instruments to ensure law enforcement, but the practice of these legislative instruments does not meet expectations, especially in rural areas or informal sectors. Moreover, there might be constraints in Vietnam to the enforcement side of laws, such as corruption, weak institutions, and a lack of political will. Cultural bias particularly gender and racial discriminations are the major inhibitions for FET in the business world (Hepple, 2014; Tien, 2021; Phan, 2024). While Vietnam has already had abundant legal protections for the disadvantaged groups in society, individuals such as women, ethnic minorities, and people with disabilities continue suffering from deeply ingrained societal attitudes, which constrain the opportunities of FET in the workplace and business community. Thus, addressing these cultural barriers requires legal reforms, societal education, and awareness programs.

3.2. Some major challenges in implementing fair and equitable treatment in Vietnam

Many developing countries like Vietnam have made significant strides toward building a fair and equitable business environment. Over the past few decades, Vietnam has transformed its business mechanisms from a centrally planned economy to a socialist-oriented market economy to attract foreign investment and foster economic growth (Mai, 2019; Haynes, 2013; Yang, 2025). There are, however, many challenges to the effective implementation of FET in the business context despite the development of a comprehensive legal framework. These challenges are caused by a diversity of contributors to a variety of factors, including weak enforcement of laws, entrenched cultural norms, economic disparities, and the complexities of the informal economy. One of the main difficulties in applying FET in Vietnam is the weak implementation of legal frameworks (Le, 2025). Vietnam has developed a relatively comprehensive set of laws, including the 2019 Vietnam Labor Code, the 2018 Vietnam Law on Competition, and other anti-discrimination provisions, all of which are designed to ensure FET in the

business environment. However, these laws are not consistently enforced, particularly in rural areas or sectors with limited oversight. Corruption continues to impede the effective enforcement of laws in Vietnam. The government has attempted to combat corruption, which still can be found in different sectors. In many cases, businesses can bypass legal obligations through bribery or other corrupt practices, undermining FET in the market. For instance, a number of companies that break labor laws, such as failing to pay the minimum wage or providing unsafe working conditions, may escape penalties by paying off local officials or authorities tasked with enforcement. Bureaucratic inefficiency further complicates the enforcement of fairness provisions (Phan, 2024; Van LAM, 2024). Vietnam's laws and regulations are often slow to attend to complaints or breaches, and businesses are rarely held accountable in a timely manner. The lack of resources within regulatory agencies, such as the Vietnam General Confederation of Labour or Vietnam Competition and Consumer Authority, makes it difficult to effectively monitor business practices, particularly in remote areas or informal sectors. As a result, even when violations of FET laws occur, they often go unnoticed or unpunished.

In Vietnam, cultural and social norms are essential in sustaining an imbalance in the business environment. Despite the existence of legal frameworks provided to protect businesses from discrimination, deeply-rooted cultural beliefs regarding gender, ethnicity, and disability pragmatically influence business practices, leading to unequal treatment in hiring, promotion, and compensation. Currently, great strides have been made in gender equality in Vietnam, but women in Vietnam continue to face substantial challenges in the workforce (Mai, 2019; Orazalin & Baydauletov, 2020). Even though laws such as the 2019 Vietnam Labor Code and the 2006 Vietnam Gender Equality Law guarantee equal treatment, traditional gender roles persist, particularly in rural areas. Women are frequently required to shoulder much of the burden of household tasks and caring responsibilities, which impose significant barriers to their employment and career advancements. In many cases, women are underrepresented in senior management positions, and the gender pay gap remains a significant issue. Cultural perceptions of women as primary caregivers contribute to their marginalization in certain sectors, such as leadership positions in business. The perception that women are less committed to their jobs because of family responsibilities may prompt many organizations to overlook qualified female candidates for high-level positions. These cultural hindrances are magnified by the absence of gender-sensitive workplace practices and insufficient support for working mothers, such as parental leave or flexible working hours (Yang, 2025; Le, 2025; Van LAM, 2024). Ethnic minorities in Vietnam, particularly those from rural or remote areas, also face discrimination in the workplace. The 2019 Vietnam Labor Code and other anti-discrimination laws prohibit such practices, yet ethnic minorities continue to experience barriers to accessing equal opportunities in education, employment, and business development. The majority ethnic group, the Kinh, holds a dominant position in

both the private and public sectors, and ethnic minorities are often at a disadvantage when it comes to securing well-paying jobs or starting businesses. Ethnic minorities have systemic challenges that limit their access to resources, including capital and business networks, which hinder their ability to compete on equal terms (Gupta, 2013; Qian & Ghaziani, 2024). These disparities are often exacerbated by a lack of education and skills training, which further marginalizes ethnic minorities and limits their economic mobility. Disabled people encounter the same barriers in accessing work and business opportunities. Although the 2010 Vietnam Law on Persons with Disabilities mandates that businesses hire a certain percentage of workers with disabilities, societal attitudes often prevent the full inclusion of people with disabilities in the workforce. Businesses may be reluctant to hire people with disabilities due to concerns about accessibility, productivity, or perceived additional costs. Moreover, many workplaces in Vietnam may not have the facilities for disabled workers, including wheelchair access or the necessary equipment (Dolzer, 2014; Haynes, 2013). This leads to a situation where disabled employees are either made redundant unfairly or stuck in low-paid jobs, consequently making the business environment an even more unequal place.

Geographically, the economic conditions present big differences among urban and rural areas in Vietnam. The historical development and unequal access to economic resources contribute heavily to this situation (Song, 2016). At present, the socio-economic disparities between rural provinces and urban centres such as Hanoi and Ho Chi Minh City are remarkable, where businesses enjoy different opportunities. In reality, it is often difficult for rural businesses to have access to incentive schemes for the purpose of socio-economic growth and development. Financial institutions are concentrated in major urban centres, making it difficult for small businesses in rural areas to secure loans or investments (Dolzer et al., 2022). Regional inequality is highly affected by the possibilities of access to capital because urban businesses are more likely to attract private and public investments (Isabel-Maria, 2020; Phan, 2024). In addition, businesses in rural areas often have difficulties receiving advanced technology and infrastructure, limiting their ability to compete effectively in the marketplace. This challenge is more serious due to the availability of digital technology, forcing rural businesses to adopt advanced technologies and new business models that are essential to compete in the current marketplace. Additionally, labour market discrimination continues, including lower wages, fewer benefits, and limited job security among rural workforce than their urban counterparts. In many rural areas, informal labour markets are ubiquitous, but the labour force is normally maltreated and receives unsafe working conditions. Such workers are excluded from the protection of the 2019 Vietnam Labor Code, leaving them vulnerable to unfair treatment and exploitation by employers. In contrast, workers in urban areas, particularly those in the formal economy, are generally better protected by labour laws and have access to higher wages, better benefits, and

safer working conditions (De et al., 2017). The unequal distribution of economic opportunities between rural and urban areas is a major challenge in achieving FET in Vietnam's business environment.

The informal economy greatly contributes to Vietnam's business environment and employs a significant share of the workforce (Yang, 2025; Van LAM, 2024; Le, 2025). Most informal workers are not covered by labor law and are often left without minimum wage protection, social security benefits, and legal recourse in cases of discrimination or unfair treatment. The informal economy includes the workforce in different sectors, such as agriculture, street vending, domestic work, and small-scale services. While the economic activities in this sector demand a lot of personnel, the workforce is also exposed to a great deal of risks, such as human exploitation, unsafe working conditions, and low wages. These workers often have no access to social security or health insurance, making them highly vulnerable in times of illness or injury. Because formal labor laws do not regulate the informal sector, workers in this sector have limited recourse in cases of unfair treatment or exploitation. Employers in the informal economy are less likely to be liable for violating workers' rights, which perpetuates inequality and inequity in the business environment (Gupta, 2013; Leite, 2016; De et al., 2017). However, the condition of FET in the business environment is severely influenced by the lack of high-quality education and skill development programs in Vietnam. Over the past few decades, Vietnam's access to high-quality education has dramatically improved, yet Vietnam must address the educational discrepancies between urban and rural areas. The workforce in rural areas tends to have lower-quality education and fewer opportunities for skill development, limiting their ability to access better-paying jobs or start businesses. Moreover, companies usually face difficulties finding qualified workers, particularly in sectors that require technical skills or higher education (Ansari & Raisi, 2018; Islam et al., 2018; Yu, 2024). The insoluble issue of economic inequality is also contributed by the mismatch between the skills of the workforce and the demands of the labour market because a large portion of the present workforce is likely to be made redundant due to their failure to have the necessary work skills for better employment opportunities.

3.3. International influence and legal reforms in Vietnam

Vietnam's transition from a centrally planned economy to a socialist-oriented market economy has been characterized by a consistent development trajectory, rapid industrialization, and foreign direct investment. The country's integration into the global economy has also contributed to this transformation, in addition to internal policy decisions (as seen in Table 2). This transformation, however, has been influenced by endogenous policy changes and the country's integration into the global economy. While Vietnam's economy became increasingly integrated with the international community, foreign institutions such as international treaties and international agreements had a massive impact on the reform of laws at a domestic level

(Weimer & Vining, 2017). Launched in 1986, the economic and political reforms under Doi Moi (Renovation period) have helped Vietnam boost its economy, attract foreign direct investment (FDI), and completely join the global market (Mai, 2019; Van LAM, 2024). As part of this process, the country has signed several international agreements and joined international organizations such as the WTO, the ILO, and numerous free trade agreements (FTAs). These achievements have had a profound influence on the country's domestic legal and regulatory framework and even reforms that have focused on enhanced protection of FET in the business environment. Vietnam's commitment to attract more FDI and participate in global trade has necessitated significant adjustments in its legal framework. Legal reforms have been influenced by the need to be subject to international norms on labor standards, human rights, intellectual property protection, environmental regulation, and corporate governance (Yang, 2025; Martins, 2015; Tien, 2021). The positive effect of international organizations and global trade agreements has contributed to more transparent, fair, and effective business operations in Vietnam.

Vietnam's accession to the WTO in January 2007 is a milestone in the global integration process. Vietnam has made major legislative and jurisprudential changes to the processes in compliance with its entry into the WTO process. The WTO's influence on Vietnam's legal system can be seen in the adoption of trade-related reforms to promote a level playing field for domestic and foreign businesses. Under its WTO membership, Vietnam is committed to liberalising and allowing foreign businesses to operate in the local market. This process involves the removal of tariffs, the reduction of barriers to foreign investment, and the opening of previously closed sectors of the economy (Emami, 2021; Le, 2025). As such, the legislative instruments pertaining to foreign investment, intellectual property rights, and dispute resolution mechanisms have been revised to harmonize the international standards. For instance, Vietnam reformed its 2020 Vietnam Law on Foreign Investment and the 2020 Law on Enterprise to commit to a more consistent and transparent business environment. Consequently, the reforms facilitated the entry of global companies into Vietnamese and improved the legal rights of foreign investors. Under the impact of WTO provisions, particularly those treating foreign enterprises the same as domestic ones, the FET in Vietnam's business environment has significantly been improved. One of the major areas influenced by Vietnam's WTO membership is the protection of intellectual property (IP) rights. Before entering the WTO, Vietnam's intellectual property protections were not properly paid attention to, resulting in many counterfeit products, patent infringement, and a lack of enforcement of copyright laws. As part of its WTO obligations, Vietnam has promulgated many new regulations to protect patents, trademarks, and copyrights (Van LAM, 2025). The 2005 Vietnam Law on Intellectual Property, for example, provided more robust protections for IP holders and aligned Vietnam's IP provisions with the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The legal regulations have greatly impacted the

business scene in Vietnam, particularly in fields such as technology, pharmaceuticals, and entertainment industries, where IP is a valuable asset. Thanks to stronger IP protections, Vietnam has seen an increase in foreign investment and more innovation and competition among domestic companies.

The ILO is another significant player in the impact of labor laws and protecting laborers in Vietnam. As a member of the ILO, Vietnam is committed to observing international labor standards and providing fair treatment to all workers in all fields. The issue of labor law reform has been the subject of several ILO conventions and recommendations in that country. One of the key areas of influence of the ILO has been the improvement of labor rights and working conditions in Vietnam. The Vietnam Labor Code made substantial amendments in 2012 and again in 2019 to align with ILO norms and recommendations (Abramovich & Vasiliu, 2023; Yang, 2025; Islam et al., 2018). The 2019 revisions to the Labor Code of Vietnam includes significant enhancements to workers' rights, such as enhanced protections for contract workers, improved regulations on working hours, and the right to form trade unions and engage in collective bargaining. The contribution of the ILO can be even recognized in working conditions and safety regulations in the workplace. Vietnam has strengthened its labor inspection system to enforce employer adherence to health and safety standards, with a major impact on industries in which workplace accidents used to be prevalent, such as the construction and manufacturing sectors. Gender equality treatment is one of the ILO's primary focal areas, and its effect is indispensable to the Vietnamese authority in its concerns about workplace gender equality policy. Article 35 of the 2019 Vietnam Labor Code enshrines provisions to ensure equal remuneration for equal work and prohibits gender-based discrimination in hiring and promotions (Phan, 2024). These reforms align with ILO conventions on eliminating discrimination and encouraging equal treatment in the workplace. However, even if things have improved, there are still challenges, particularly around the gender pay gap and women who are underrepresented in leadership positions.

Vietnam has entered into a range of FTAs and bilateral trade agreements with many organizations at national and international levels after the entry of its economy into the global market. These deals usually demand legal changes to ensure that Vietnam's rules comply with the standards set by

its trading partners. Signed in 2018, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) is among the most important FTAs influencing legal reforms in Vietnam (Le, 2025). This trade agreement includes provisions on labor rights, environmental protections, intellectual property, and dispute resolution, among others. To comply with the CPTPP, Vietnam must revise its labor laws, particularly concerning workers' rights, labor unions, and collective bargaining. The agreement also required Vietnam to improve its environmental regulations and commit to reducing trade and investment barriers. Another important agreement is the EU-Vietnam Free Trade Agreement (EVFTA), which was in effect in August 2020 (Huong, 2024). The EVFTA has a chapter on trade and sustainable development, which covers issues such as labor and environmental protection, as well as corporate social responsibility. As the influence of the EVFTA norms, Vietnam must ratify fundamental ILO conventions on the freedom of association, collective bargaining, and abolishment of forced labor. These requirements require Vietnam to reform its legislative systems, including amendments to labor laws, human rights protections, and environmental regulations. The EVFTA highly influences corporate governance in Vietnam because European companies generally demand higher transparency and liability standards (Yang, 2025; Le, 2025; Morgera, 2024). As such, Vietnam must renovate its corporate governance, which includes provisions on financial reporting, shareholder rights and anti-corruption efforts.

Besides the WTO, ILO, and other trade agreements, Vietnam is subject to global initiatives promoted by organizations such as the United Nations (UN). The 17 UN's Sustainable Development Goals (SDGs), which include emphasis on reducing inequality, promoting economic growth, and improving social justice, have influenced recent legislative amendments in Vietnam (Leipziger, 2016; Van LAM, 2024; Islam et al., 2018). In this context, this country, for example, has made great efforts to reform its social security system, modernise the health service, and address income disparities while it must satisfy the SDG targets. Indeed, Vietnam's legal reforms have recently been influenced by global norms relating to the principles of environmental sustainability and human rights. The UN Guiding Principles on Business and Human Rights, which urge businesses to respect human rights and promote good treatment for all employees, have been incorporated into Vietnam's corporate governance and legislation.

TABLE II A BRIEF OVERVIEW OF THE INTERNATIONAL INFLUENCE AND LEGAL REFORMS IN VIETNAM

International Influence	Legal Reforms in Vietnam
WTO Membership (2007)	- Major legislative adjustments to comply with WTO rules. - Removal of tariffs, reduction of barriers to foreign investment. - Reform of the Law on Foreign Investment and Enterprise Law. - Strengthened intellectual property protections (2005 Law on Intellectual Property). - Intellectual property reforms to align with TRIPS (Trade-Related Aspects of Intellectual Property Rights). - Improved business environment with better protections for foreign investors.
ILO Membership	- Reforms to improve labor rights and working conditions (2019 Vietnam Labor Code). - Enhanced protections for contract workers and collective bargaining rights. - Gender equality in the workplace (Article 35 of the 2019 Labor Code). - Strengthened health and safety regulations, especially in construction and manufacturing.
FTAs and Bilateral Agreements	- Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) (2018). - Amendments to labor laws, environmental protections, and corporate governance under CPTPP. - EU-Vietnam Free Trade Agreement (EVFTA) (2020). - Commitments to ratify ILO conventions, improve labor rights, and strengthen corporate governance. - Enhanced regulations on financial reporting, shareholder rights, and anti-corruption measures under EVFTA.
UN's Sustainable Development Goals (SDGs)	- Legal reforms to address social protection, healthcare access, and income inequality. - Focus on environmental sustainability and human rights in recent legal amendments.
International Organizations (WTO, ILO, UN)	- Influence of global standards such as the UN Guiding Principles on Business and Human Rights. - Improvements in corporate governance legislation, labor rights, and environmental sustainability.

3.4. Some Recommendations for Strengthening Legal Frameworks in Vietnam

After decades of development, Vietnam has become a market-oriented economy. The country has thoroughly entered into the global economy and enhanced its regulatory structures (Le, 2025; Huong, 2024; Garcia et al., 2015). Nonetheless, the government must ensure fairness, equity, and transparency within its business environment. Despite the establishment of a comprehensive legislative framework in Vietnam, the country still experiences challenges in enforcement owing to the rule of law, cultural resistance, and economic barriers to achieving a truly equitable market. The ineffective implementation of existing legislation on FET constitutes a significant barrier to achieving FET in Vietnam's business environment. Although the country has established a fairly comprehensive legal system, many regulations are rarely enforced, particularly in the countryside or in sectors with limited regulatory enforcement. A potential solution is for the Vietnamese government to improve the enforcement mechanisms of labor, anti-discrimination, and corporate governance regulations. An important element of enforcement is the ability of regulatory agencies to be sufficiently funded and equipped to carry out their responsibilities (Ansari & Raisi, 2018). The resources of agencies like the VCCA, the Vietnam Labour Union, and their organizational superstructures and other inspectors must be increased in their workforce to carry out inspections and verify complaints efficiently. The solution might include hiring more staff, providing specialized training and developing technology to monitor business compliance.

Furthermore, regional branches of these agencies must be empowered to act independently and hold businesses

accountable. This is particularly crucial in rural and remote areas where businesses often operate outside the purview of central authorities. Regional offices could be empowered to act more independently to resolve compliance problems in their region without having to wait for enforcement actions. According to (Yang, 2025; Tran, 2024), it is necessary for Vietnam to combat corruption at all levels of government and regulatory bodies to ensure the enforcement of FET in the business environment. A more transparent, accountable, and efficient public service can help reduce opportunities for bribery and illegal negotiations that often benefit businesses operating outside the law. Currently, bureaucratic and administrative inefficiencies create another issue whereby ineffective cooperation among regulating authorities and a slow complaint-handling process reduce enforcement capacities. To solve this situation, it is necessary to simplify bureaucracy and enhance inter-agency collaboration to minimize the possibility for businesses to exploit the loopholes of the legislative and administrative systems. Apart from stricter enforcement, transparency and accountability will make good businesses thrive. Transparent legal processes and business practices ensure that all stakeholders - whether they are investors, employees, or consumers - are treated equally and have access to the same opportunities. Although Vietnam has gained many achievements toward improving corporate governance, there is still potential for development, notably in terms of increasing transparency to business operations - especially those of SOEs (Van LAM, 2024; Hepple, 2014; Gaukrodger, 2017). Companies should be forced by law to produce transparent and reliable financial information and accounts consistent with international accounting standard practices. This will enable investors, workers, and consumers to have the information they need to assess a company's financial condition and

business operating practices. Moreover, stricter beneficial ownership transparency standards are necessary to fight corruption and to hold businesses to high ethical standards. The practice of disclosing beneficial ownership with subsidiaries and linked entities would promote transparency and deal with possible mismanagement and unfair practices. Independent auditors play a key role in ensuring transparency in financial reporting. For more transparency, Vietnam should have stricter requirements for the selection and supervision of independent auditors who should be impartial and free from conflicts of interest (Dolzer, 2014). Regular audits of public and private sector companies, especially large companies and SOEs, would be subject to periodic auditing to verify compliance with financial regulations and, more importantly, uncover any indicators of financial mismanagement or fraudulent activities. In addition to strengthening financial audits, there should be a greater focus on non-financial reporting, including disclosures related to environmental, social, and governance practices. This situation will create an opportunity for businesses to think more responsibly and to prove themselves as responsible businesses.

Labor rights and protection of workers have also featured prominently in Vietnam's legal reforms, but there are still significant issues in the implementation of these laws. Current inequality in the labour market in Vietnam originates from some sources, such as weak enforcement of labour laws, an insufficient workforce, and the marginalization of some groups, including migrant workers, women, and persons with disabilities. Enhancing the legislation on labour rights contributes to fair and just treatment of the workers concerned (Leipziger, 2016). Vietnam must improve and enforce labour inspections to ensure that employers are in compliance with the 2019 Vietnam Labor Code and other labour laws. Expanding the capacity of labour inspectors, increasing the frequency of inspections, and providing more robust mechanisms for workers to report violations without fear of retaliation are critical to better enforcement. Inspection should concentrate on the industries with known problems, such as construction, textiles and agriculture (Leite, 2016). Moreover, the protection of worker rights must be conducted to improve access to legal recourse for employees who are subject to suffering from exploitation, unsafe working conditions, or discrimination. Additionally, the rights of workers should be ensured in order to increase the supply of legal remedies for employees who are exploited or faced with unsafe conditions or discrimination. By providing accessible channels for workers to file complaints and seek redress for violations, clear channels are established to allow businesses to be held accountable for their employee treatment. Thus, Vietnam should enhance the role of trade unions and ensure better legal coverage for collective bargaining to enhance the fairness of labor relations. Ensuring that unions are independent and able to represent workers effectively will empower employees to advocate for their rights and negotiate better working conditions and wages (Isabel-Maria, 2020; Yu, 2024). Labor unions should be involved in shaping labor policies and reforms to ensure

that worker interests are adequately represented in the policymaking process. Empowering workers to be more involved in the decision-making process will bring more fairness to the work environment.

Despite some improvement, employment discrimination remains a significant challenge in Vietnam and is not systematically dealt with, while implementation of the laws, as well as the policy on disability, is inconsistent (Tien 2021; Van LAM, 2024). The promotion of diversity at work and the strengthening of anti-discrimination regulations are crucial to ensuring that all individuals receive equitable treatment and equal opportunities. Vietnam should adopt anti-discrimination legislation that addresses all forms of employment discrimination, including hiring, promotion, pay and dismissal. These regulations must be enforced rigorously, and the government should allocate resources to ensure businesses which are subject to the regulations. Besides, Vietnam should encourage businesses to develop diversity and inclusion policies and reward businesses that show progress in providing an inclusive workplace. The government may collaborate with non-governmental organizations and international bodies to raise public awareness about the advantages of diversity and inclusion. A significant portion of Vietnam's workforce operates in the informal economy, which is often characterized by low wages, poor working conditions, and limited access to labor protections. There is the potential to enhance FET through legal reforms that foster the informal economy, the provision of legal protections for informal workers, and the promotion of formal businesses. Extension of labor protections to informal workers, such as minimum wage protections, social security benefits, and health insurance coverage, can bring more workers into the formal economy. It is practical for the government to prioritize policies that incentivize informal businesses to register and follow the formal legal system through financial incentives, simplified bureaucracy, and access to training and resources (Yang, 2025; Tuan, 2020; Qian & Ghaziani, 2024). Supporting the growth of the formal economy will not only improve workers' rights but enhance economic stability and the rule of law.

IV. CONCLUSION

Vietnam has gone through substantial reforms to transform its planned economy into a more market-oriented one, changing its closed and centralized legal regime into an open system. The business environment, meanwhile, lacks fairness, justice and transparency. The complexity lies in the efficient implementation, enforcement, and compatibility with cultural, economic, and societal factors. Noncompliance with regulations has long been a barrier to achieving fairness in Vietnam's business environment. The regulatory bodies are under-resourced and politically supported, meaning the consistent implementation and enforcement of these laws lead to inconsistent enforcement across industries and regions. It is found that the strengthening of the enforcement capacity of regulatory bodies, such as providing adequate resources for attracting and training regulators and their autonomy from political power, is very important. Then, less

bureaucracy and more collaboration between entities could make it more effective and faster to enforce. In addition, it will be more efficient and quicker to enforce by minimizing paperwork and cooperation between different authorities. Therefore, prejudices and stereotypical gender roles persist in contemporary workplaces, and cultural and institutional obstacles to equality persist as well. There are still places where women, people of color, and those with disabilities face blatant bigotry. Some important laws have recently changed in Vietnam, including the labor code and the gender equality law. Nonetheless, shifting cultural norms is also important. Legislation mandating the registration of informal businesses, efforts to increase union strength, public awareness campaigns, and diversity and inclusion programs in the workplace are all things that they favor. These steps could guarantee that people working in these industries have legal protections for their labor rights and other rules and regulations, and they might also assist reduce the gap between rural and urban communities.

Better corporate transparency and responsibility require new rules. As such, for ensuring Vietnam's further integration with the world economy and for increasing its ability to attract more and more FDI in the context of open-door policy, it is necessary to improve the legal framework of corporate governance. Companies need to act responsibly if they want to keep their financial reports open and honest, and there has to be a stronger system in place to safeguard shareholder's interests. If SOEs are sincere about holding themselves to account, reducing waste and eliminating corruption, they require stronger governance mechanisms. Enterprises under social ownership (SOEs) can be brought within similar legal brackets with those of private companies, and be reformed through measures to improve market competition and fair practice, so that they become more transparent and answerable. The informal sector would be a priority for the country as it looks into the understated issue of legal reform. Most unregistered workers in Vietnam's informal economy lack legal protections like minimum wage coverage, health insurance, or social security. These are the very people who are on the front lines, exposed to dangerous conditions and making low wages. Therefore, there need to be incentives for non-formal firms to be registered and comply with labor rules, and there should be more legal provisions for workers in the informal sector as well. The government needs to figure out how to get small businesses into the formal economy by getting them the tools to follow the rules, such as training and financing. It is important to remember that international influences played a big part in shaping Vietnam's legal reforms. Vietnam needs to meet international standards in the field of labor and environmental issues and protect intellectual property rights as the country is further integrating deeper into the world economy through CPTPP, EVFTA, among others. These international agreements have helped Vietnam make changes locally, but the country also has to change its own legal systems to follow global standards and make sure that they are really put into practice in ways that work for the people who live there. For instance, the WTO and the ILO have already made a lot of progress in

protecting workers' rights, but Vietnam has to promise to follow the regulations and fix any problems that still exist. Accordingly, Vietnam must improve enforcement, transparency, cultural biases, a formal economy, and equitable access to resources for enterprises and workers in order to make the business climate fair and open to everyone. Vietnam needs to make its achievements so that legal protections are provided to all workers and businesses, particularly those in vulnerable, marginalized sectors.

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