



VIET NAM COMPETITION
AND CONSUMER PROTECTION AUTHORITY



UNITED NATIONS
DEVELOPMENT PROGRAMME



(Short version)

CODE OF CONDUCT

ON RESPONSIBLE BUSINESS PRACTICES FOR
CUSTOMERS IN E-COMMERCE IN VIETNAM

● **APPLICABLE TO MERCHANTS AND SELLERS**



INTRODUCTION

In recent years, selling on e-commerce platforms has grown rapidly both globally and in Viet Nam. This method of selling has numerous advantages and is commonly used. Many sellers have shifted away from traditional business toward selling through e-commerce platforms or combined the two methods.

United Nations Development Programme in Viet Nam (UNDP Viet Nam) in collaboration with Viet Nam Competition and Consumer Protection Authority (VCCA), Ministry of Industry and Trade (MOIT) co-lead the initiative “Promoting Responsible Business Practices in E-commerce in Viet Nam” to encourage e-commerce activities to develop in a healthy and sustainable way. The Code of Conduct on Responsible business practices for Consumers in E-commerce in Viet Nam (applicable to Merchants and Sellers) is one of the meaningful activities of this initiative.

This Code of Conduct is a set of guidelines to help merchants and sellers do business more sustainably and efficiently, and to minimize the negative impacts of their business operations to environment and society. This Code of Conduct is designed in line with the United Nations Guiding Principles on Business and Human Rights (UNGPs).

We understand that following these rules can add up a fraction of the cost or time for merchants and sellers. However, doing business responsibly can bring numerous benefits to online merchants and sellers, such as retaining customers and employees, avoiding being sanctioned by state agencies, improving relations with partners, and contributing to the community and the environment in which the business is operating. Thus, we are hoping that businesses can cooperate in order for this Code to be applied into practice successfully.

We hope this Code not only foster merchants and sellers to develop, to bring sustainable income for themselves, but also create good values to the environment, community and society. The Code is developed with a simple, easy-to-read layout, friendly language for the community. However, we are aware that the Code certainly cannot possibly fulfill all of the needs of the diverse audiences.

The opinions, analyses and recommendations contained in this document do not necessarily reflect the official opinions of the partner organisations or represent those of the United Nations, including UNDP, and the Ministry of Industry and Trade.

The designations employed and the presentation of material on this Code do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations or UNDP concerning the legal status of any country, territory, city or area or its authorities, or concerning the delimitation of its frontiers or boundaries.

ACKNOWLEDGEMENT

The Code of Conduct on Responsible business practices for Consumers in E-commerce in Viet Nam (applicable to Merchants and Sellers) (hereinafter the Code) is the result of the first iteration of the deep partnership and significant collaboration between the Viet Nam Competition and Consumer Protection Authority (VCCA), Ministry of Industry and Trade (MOIT) and the United Nations Development Programme (UNDP) in Viet Nam on the initiative “Promoting Responsible Business Practices in E-commerce in Viet Nam”.

The Code of Conduct is co-designed and developed by a research team: Mr Nguyen Van Huan (Business and Human rights Coordinator, UNDP Viet Nam), Mr Nguyen Minh Duc (UNDP national consultant), Ms Nguyen Thi Hong Van (UNDP national consultant).

The Code of Conduct has greatly benefited from strategic advice from UNDP Viet Nam, in particular Mr Patrick Haverman, Deputy Resident Representative and Ms Diana Torres, Assistant Resident Representative and Head of Governance and Participation, and from VCCA, in particular Ms Nguyen Quynh Anh, Deputy General Director.

Special thanks to Mr Yuji Shinohara (Governance Analyst, UNDP Viet Nam), Ms Vuong Hong Ngoc (Youth Engagement and Governance Coordinator, UNDP Viet Nam), Mr Phan The Thang (Deputy Director, Consumer Protection Division, VCCA, MOIT) and Ms Le Thi Ha (Head of Policy Division, IDEA, MOIT), etc. who have contributed in creating and developing the Code.

Warm appreciation is extended to the Viet Nam e-Commerce and Digital Economy Agency (iDEA), Viet Nam E-commerce Association (VECOM), Viet Nam Consumer Protection Association (VICOPRO) for their support in making the Code relevant and accountable to beneficiaries and stakeholders.

The Code cover page and infographics are designed by Ms Do Nguyet Ha, UNDP communication consultant. Mr Pham Van Hung helped with some data collection and verification.

Finally, special thanks go to Fast Retailing Co., Ltd. and UNIQLO Vietnam Co., Ltd. for significant support of the development of the Code of Conduct on Responsible business practices for Consumers in E-commerce in Viet Nam (applicable to Merchants and Sellers).

CONTENT OF THE CODE

The Code of Conduct on Responsible business practices for Consumers in E-commerce in Viet Nam (applicable to Merchants and Sellers) is divided into 4 groups according to business processes in the supply chain, including (1) source of goods; (2) operation; (3) marketing and sales; and (4) legal compliance and fair competition, including 10 criteria with basic implementation contents. Basic implementation contents are assessed against three different levels of compliance:

- Compliance Level **Must do**: Applied to implementations contents that are considered essential and need to be complied immediately as required by domestic law and international standards or in the current context of Viet Nam.

The “**must do**” guidelines are shown in **red**.

- Compliance Level **Should do**: Applied for the implementation contents that are considered important and need to be complied in a specific pathway, or compliance is in progress. Those are guidelines that help to prevent and mitigate the adverse impacts of business activities that have not been required by law.

The “**should do**” guidelines are shown in **green**.

- Compliance Level **May do**: are the recommendations to help add value to society and the environment. These recommendations or practices are not mandatory to apply, but are only considered as suggestions for reference, merchants and sellers may or may not implement, depending on their specific circumstances and conditions. These are recommendations or good practices that help merchants and sellers improve their corporate social *responsibility*.

The “**may do**” guidelines are shown in **orange**.

THE PRINCIPLES AND CRITERIA OF THE CODE

Standard I: Source of goods	
Criterion 1	Selecting business goods
Criterion 2	Selecting vendors
Standard II: Operation	
Criterion 3	Building a customer-centric responsible business culture
Criterion 4	Environmental protection
Standard III: Marketing and Sales	
Criterion 5	Advertising
Criterion 6	Packing, Delivery, Payment and Shipping
Criterion 7	After-sale service
Criterion 8	Handling customer complaints and participating in dispute resolution with customers
Standard IV: Legal compliance and fair competition	
Criterion 9	Legal compliance
Criterion 10	Fair competition

Standard I: Source of goods

► Criterion 1: Selecting business goods

Basic implementation content	Compliance Level	Source
Do not trade in prohibited goods and services as prescribed by law.	Must do	Law on Investment, Decree 59/2006/ND-CP, Decree 43/2009/ND-CP, Decree 39/2009/ND-CP
Only trade in goods that ensure the safety of users according to the provisions of the law on product quality.	Must do	Law on Product and Goods Quality, Commercial Law, Law on Standards and Technical regulations, Law on Pharmacy, Law on Veterinary Medicine, Law on Animal Husbandry, Law on Crop Production, Law on Plant Protection and Quarantine, Decree 98/2021 /ND-CP, Decree 93/2016/ND-CP
Ensure safety and hygiene for food and beverages.	Must do	Law on Food Safety, Law on Standards and Technical regulations, Decree 15/2018/ND-CP
Do not trade in counterfeit trademarks and pirated publications.	Must do	Law on Intellectual Property
Do not import goods that you know are of illegal origin such as smuggled, stolen, or illegal mining goods.	Must do	Criminal Code, Law on Customs, Law on Biodiversity, Law on Forestry

► **Criterion 2: Selecting vendors**

Basic implementation content	Compliance Level	Source
Prioritize the purchase of goods from business partners that practice responsible business, local and domestic manufacturers, goods with local and ethnic cultures, goods produced by social enterprises association, people with disabilities.	Should do	

Standard II: Operation

► **Criterion 3: Building the customer-centric responsible business culture**

Basic implementation content	Compliance Level	Source
Disseminating the customer-centric responsible business culture to all employees.	Should do	United Nations Guiding Principles on Business and Human Rights (UNGPs)
Training staff on consumer rights protection.	Should do	Law on Protection of consumers' rights, UNGPs

► **Criterion 4: Environmental protection**

Basic implementation content	Compliance Level	Source
Reducing waste in the packaging of e-commerce goods.	Should do	Law on Environmental Protection
Reducing emissions causing air pollution and greenhouse effect in e-commerce activities.	May do	Law on Environmental Protection
Save electricity and water, prioritize using energy-saving equipment.	May do	Law on Economical and Efficient Use of Energy, Law on Environmental Protection

Standard III: Marketing and Sales

► Criterion 5: Advertising

Basic implementation content	Compliance Level	Source
Do not create logos, images, names, or domain names that are similar to well-known brands. Do not use brand information, photos, or contact information to mislead customers.	Must do	Law on Intellectual Property, Law on Advertising, Law on Telecommunications, Law on Protection of consumers' rights
Provide thorough and accurate information on the order's quality, quantity, origin, price, delivery cost, usage instructions, and other details.	Must do	Law on Product and Goods Quality, Commercial Law, Law on Protection of consumers' rights, Law on Prices
Introduction pictures and videos of goods must be as similar to the real goods as possible.	Should do	Law on Protection of consumers' rights, Law on Advertising
When paying celebrities to advertise, it should be clearly stated that this is promotional content.	Should do	
Ensure that the photos, videos, and product descriptions were created or allowed for use by yourselves; do not steal photos and video from competitors.	Should do	Law on Advertising, Law on Intellectual Property
Do not use photos or videos containing discriminatory, gender-stereotyped, obscene or violent content.	Must do	Law on Advertising, Law on Gender equality
Do not use advertises that make customers annoyed.	Should do	Law on Protection of consumers' rights, Law on Advertising
Use age-appropriate images and videos when selling goods to children.	Must do	Children Law, Law on Advertising
Prioritize the use of images and information showing local culture and human values.	May do	

Do not perform fraudulent acts such as to comment and give good reviews for your stall by yourself or your acquaintances.	Should do	
Consciously advise customers, avoid excessive advertising because of the desire of selling.	Should do	

► **Criterion 6: Packing, Delivery, Payment and Shipping**

Basic implementation content	Compliance Level	Source
Packing goods to save costs and ensure product preservation requirements during transportation, storage and preservation.	Must do	Law on Product and Goods Quality
Ensure convenient and safe payment for customers	Must do	Decree 52/2013/ND-CP, Decree 08/2018/ND-CP, Decree 85/2021/ND-CP
Delivered goods as described.	Must do	Law on Protection of consumers' rights, Decree 52/2013/ND-CP, Decree 08/2018/ND-CP, Decree 85/2021/ND-CP
Treat drivers with kindness such as arranging waiting seats, allowing use of toilets, and providing drinking water.	Should do	
Develop and implement warranty policies for products and services.	Must do	Law on Protection of consumers' rights, Law on Product and Goods Quality

► **Criterion 7: After sale service**

Basic implementation content	Compliance Level	Source
Quick response, dedicated and maximum the support for consumer and relevant stakeholders.	Should do	Law on Protection of consumers' rights, Decree 52/2013/ND-CP, Decree 08/2018/ND-CP, Decree 85/2021/ND-CP
Building an online customer care process.	Should do	Law on Protection of consumers' rights, Decree 52/2013/ND-CP, Decree 08/2018/ND-CP, Decree 85/2021/ND-CP
Develop policies and procedures for handling defective products.	Must do	Law on Protection of consumers' rights, Law on Product and Goods Quality
Commitment to protect the confidentiality of customers' personal information, and not to share customers' personal information to others (except when having customers' consent).	Must do	Cybersecurity Law, Law on Cyberinformation Security

► **Criterion 8: Handling customer complaints and participating in dispute resolution with customers**

Basic implementation content	Compliance Level	Source
Provide contact information to handle customer complaints or inquiries.	Must do	Law on Protection of consumers' rights, Decree 52/2013/ND-CP, Decree 08/2018/ND-CP, Decree 85/2021/ND-CP

Develop and make a publicly available process of handling the complaints or requests made by consumers and relevant stakeholders.	Must do	Law on Protection of consumers' rights, Decree 52/2013/ND-CP, Decree 08/2018/ND-CP, Decree 85/2021/ND-CP
Good faith and friendliness in the dispute settlement process	Should do	Law on Protection of consumers' rights, Decree 52/2013/ND-CP, Decree 08/2018/ND-CP, Decree 85/2021/ND-CP
Actively, proactively in handling customer complaints or disputes	Should do	Law on Protection of consumers' rights, Decree 52/2013/ND-CP, Decree 08/2018/ND-CP, Decree 85/2021/ND-CP
Providing evidence and information honestly	Should do	

Standard IV: Legal compliance and fair competition

► Criterion 9: Legal compliance

Basic implementation content	Compliance Level	Source
Carry out business registration procedures or business household registration; Apply for conditional business licenses (depending on business sectors)	Must do	Law on Enterprises, Law on Investment, Decree 01/2021/ND-CP
Declare and pay tax fully	Must do	Law on Tax administration, Law on personal income tax, Law on Value-added tax, Law on Enterprise income tax, Law on special excise duty, Law on Environmental Protection Tax, Circular 40/2021/TT-BTC
Fully comply with other provisions of the law	Must do	

► **Criterion 10: Fair competition**

Basic implementation content	Compliance Level	Source
Do not perform acts that destroy the business of competitors such as deliberately placing, canceling orders, requesting to return goods of competitors; intentionally bad reviews of competitors' products.	Should do	Competition Law
Do not intentionally suggest customers to trade without using e-commerce platforms; not collude with the buyer or the carrier to fake the transaction.	Should do	



UNITED NATIONS DEVELOPMENT PROGRAMME

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