

**NGO REPORT ON CEDAW IMPLEMENTATION
IN VIETNAM**



**GENDER AND COMMUNITY DEVELOPMENT NETWORK
(GENCOMNET)**

**NETWORK FOR EMPOWERMENT OF WOMEN
(NEW)**

**VIETNAMESE ALLIANCE FOR NON - GOVERNMENTAL ORGANIZATIONS
(VAPCR)**

**VIETNAM ASSOCIATION FOR PROTECTION OF CHILD RIGHTS
(VNGOA)**

**CENTER FOR CREATIVE INITIATIVES IN HEALTH AND POPULATION (CCIHP)
(CCIHP)**

GENDER AND COMMUNITY DEVELOPMENT NETWORK (GENCOMNET)

NETWORK FOR EMPOWERMENT OF WOMEN (NEW)

VIETNAM ASSOCIATION FOR PROTECTION OF CHILD RIGHTS (VAPCR)

**VIETNAMESE ALLIANCE FOR NON - GOVERNMENTAL ORGANIZATIONS
(VNGOA)**

CENTER FOR CREATIVE INITIATIVES IN HEALTH AND POPULATION (CCIHP)

NGO REPORT ON CEDAW IMPLEMENTATION IN VIETNAM

With assistance from:

**ACTIONAID VIETNAM
EMBASSY OF SWITZERLAND IN VIETNAM**

Hanoi, December 2010

ACKNOWLEDGEMENTS

Vietnam has shown a strong commitment to implementing the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) since it was a signatory to the Convention (1981). In particular, from 2006 the Government of Vietnam has invested great efforts for gender equality and the protection of women's rights in Vietnam.

The Vietnam National Assembly approved the Law on Gender Equality in November 2006 and the Law on Domestic Violence Prevention and Control in November 2007. It also evaluated the implementation of the National Strategy for the Advancement of Women by 2010 and ratified the new National Strategy for Gender Equality for the period of 2011-2020.

Vietnam has also deployed many national targeted programmes on poverty reduction, clean water, environment and hygiene, employment, education and training, reduction of child mortality, etc in accordance with the Millennium Development Goals. These efforts are intended to create favourable conditions and opportunities for establishing gender equality in Vietnam.

Vietnamese non-governmental organizations (NGOs) have been developing more and more rapidly. They are now working in a range of different fields such as poverty reduction, food safety, climate change, education, healthcare, gender and women's rights, HIV/AIDS prevention and control, etc. Many NGOs have linked with each other to form voluntary networks, which have contributed towards gender equality and development in community in the country

This Vietnamese NGO Report on the implementation of CEDAW highlights achievements as well as identifying challenges and inadequacies in establishing gender equality within Vietnam. Recommendations have been formulated for consideration the State and other relevant actors in protecting and ensuring gender equality in Vietnam.

The report-writing group would like to especially thank ActionAid Vietnam and the Embassy of Switzerland in Vietnam who have provided us with financial support and valuable ideas in the process of collecting inputs to write the report; organizing consultation workshops with relevant stakeholders; and printing the report for dissemination.

The report would not have been possible without technical assistance from the International Women's Rights Action Watch Asia Pacific (IWRAP Asia Pacific).

We are also grateful to all the valuable contributions and comments from relevant stakeholders who participated in the workshops that contributed to this report.

Sincere thanks
The Report Writing Group

TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS	9
A. INTRODUCTION TO THE REPORT	11
B. NGO REPORT ON CEDAW IMPLEMENTATION IN VIETNAM	13
TOPIC: WOMEN AND POLITICAL PARTICIPATION	13
Executive summary.....	13
1. Introduction.....	13
2. Challenges.....	14
3. Causes.....	18
4. Roles of Vietnamese non-governmental organizations (VNGOs).....	19
5. Recommendations.....	19
TOPIC: ETHNIC MINORITY WOMEN AND EDUCATION	21
Executive summary.....	21
1. Introduction.....	21
2. Challenges.....	22
3. Vietnamese NGOs’ roles.....	27
4. Recommendations.....	27
TOPIC: RURAL WOMEN’S ECONOMIC RIGHT	29
Executive summary.....	29
1. Legal ground for executing gender equality in economic sector for rural women.....	29
2. Rural women’s challenges in economic activities.....	30
3. Recommendations.....	35
TOPIC: RIGHT TO EQUALITY, NON-DISCRIMINATION AGAINST GIRL CHILDREN	36
Executive Summary.....	36
1. Achievements and challenges in enforcing the right to equality and non-discrimination against girl children.....	36
2. Causes of challenges.....	40
3. Recommendations.....	41
TOPIC: GENDER-BASED VIOLENCE IN FAMILY AND WOMEN AND CHILDREN TRAFFICKING	43
Executive summary.....	43
1. Introduction.....	43
2. Challenges and advantage.....	45
3. Recommendations.....	49
TOPIC: DISADVANTAGED WOMEN’S REPRODUCTIVE AND SEXUAL HEALTH	51
Executive summary.....	51
1. Introduction.....	51
2. Disadvantaged and vulnerable women’s reproductive and sexual healthcare situation.....	52
3. Conclusion and recommendation.....	55
CONCLUSION	57
REFERENCE	58
ANNEX LIST OF ORGANIZATIONS, INDIVIDUALS WHO ENGAGE IN THE REPORT	62

LIST OF TABLES

<i>Table 1. Women in the Party Organization (Unit: %)</i>	15
<i>Table 2. Women in National Assembly</i>	15
<i>Table 3. Women in People’s Council</i>	15
<i>Table 4. Rate of women holding key posts in People’s Councils</i>	16
<i>Table 5: Rate of women holding president and vice-president posts in People’s Committees at levels</i>	16
<i>Table 6: Proportion of professionally trained workers</i>	31
<i>Box 1. Lending rural women to run economic activities by Women’s Union</i>	34
<i>Table 7: Percentage of girls at different educational levels</i>	37

ABBREVIATIONS AND ACRONYMS

Abbreviation	Full names
AAV	ActionAid Vietnam
AIDS	Acquired Immune Deficiency Syndrome
ADB	Asian Development Bank
ARV	Antiretroviral drugs
ASEAN	Association of Southeast Asian Nations
GE	Gender equality
CCIHP	Centre for Creative Initiatives in Health and Population
CCRD	Research Centre for Public Health Development
CEDAW	Convention on the Elimination of Discrimination against Women
CEPEW	Centre for Education Promotion and Empowerment of Women
CENEV	Center for Informal Education and Community Development
CGFED	Research Centre for Gender, Family and Environment in Development
CISDOMA	Consultative Institute for Socio-economic Development of Rural and Mountainous Areas (CISDOMA)
COHED	Center for Community Health and Development
CSEED	Centre for Community Socio-Economic and Environmental Development
STDs	Sexually transmitted diseases
DWC	Centre for Promoting Development for Women and Children
DOVIPNET	Domestic violence prevention network
GDI	Gender Development Index
GENCOMNET	Gender and Community Development Network
GDP	Gross Domestic Product
GSO	General Statistics Office
PCs	People's Councils
HIV	Human immunodeficiency virus
VWU	Vietnam Women's Union
ILO	International Labour Organization
ISEE	Institute for Studies of Society and Economics and Environment
ISDS	Institute for Social Development Studies
IWRAW	International Women's Rights and Actions Watch Asian Pacific

MoCST	Ministry of Culture, Sports and Tourism
MPI	Ministry of Planning and Investment
MoET	Ministry of Education and Training
MoH	Ministry of Health
MoLISA	Ministry of Labour, Invalids and Social Affairs
MDG(s)	Millennium Development Goal(s)
MMR	Maternal mortality rate
NEW	Network for Empowerment of Women
NGOs	Non-governmental organizations
SCDI	Supporting Community Development Initiatives
SRD	Centre for Sustainable Rural Development
RCGAD	Research Centre for Gender and Development
UNESCO	United Nations Educational Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNGASS	United Nations General Assembly Special Session
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
USAIDS	United State Aid Fund
VNGOA	Vietnamese NGOs' Alliance for Poverty Reduction, Environment Protection and Sustainable Development
VND	Vietnam Dong (Vietnam currency)
WB	World Bank

A. INTRODUCTION TO THE REPORT

Vietnam has achieved much in working towards gender equality. Vietnam's Gender Development Index (GDI) reached 0.723 in 2009, ranking it 94th amongst 155 nations and its Gender Empowerment Measure (GEM) was 62 amongst 109 ranked nations. Achievements on gender equality have proven Vietnam's strong commitments in realizing its national goal of gender equality and in its implementation of CEDAW.

However, over the past years, the negative impacts of global integration, the 2008-2009 financial crisis, food and energy price fluctuations, global climate change combined with shortcomings in state management have resulted in challenges to the realisation of gender equality in Vietnam.

Vietnamese NGOs have always paid attention and made contributions to the country's development as well as the execution of social justice and gender equality.

This Vietnamese NGO Report on the implementation of CEDAW within Vietnam documents the country's achievements as well as reflecting upon the objective challenges in executing gender equality in some fields. This report also makes recommendations to the State and Government of Vietnam for further improvement of gender equality in the future.

This report is an Independent Report, which is written in accordance with NGOs' concerned issues.

The report was a joint effort of many NGOs and networks in Vietnam, including the Gender and Community Development Network (GENCOMNET), the Network for Empowerment of Women (NEW), the Vietnamese Alliance for Non-governmental Organizations (VNGOA), the Vietnam Association for Protection of Child Rights (VAPCR) and the Centre for Creative Initiatives in Health and Population (CCIHP).

The process of developing the report has been done with the agreement and cooperation amongst many NGOs and networks. The following steps were undertaken in producing the report.

- A training course on skills and methods for writing a NGO CEDAW Report;
- Selection of concerned/hot topics/issues;
- Forming topic writing groups in accordance with selected topics/issues;
- Collecting and analyzing information for topic reports;
- Organizing small focus groups and discussions, as well as meetings with different NGOs and relevant stakeholders, to get inputs for topic reports;
- Refining topic reports into a general report;
- Workshop on receiving inputs and comments for the first draft general report;
- Sending the first draft report to IWRAW's experts for more comments;
- Finalizing the final reports;
- Translating the report into English and printing them into English and Vietnamese

The report focuses upon six topics for which thematic reports were produced. These topics were:

- Women and political participation
- Rural women's economic rights
- Ethnic minority women and education
- Rights to equality and non-discrimination against young girls
- Gender-based violence in the family and the trafficking of women and children
- Disadvantaged women's sexual and reproductive health.

To ensure the coherence and harmony of the general report, each topic report is presented with the following format:

- *Executive summary*

- *Introduction: references and results*
- *Challenges*
- *Causes for challenges*
- *Contributions of NGOs*
- *Recommendations*

The introduction to the report will not present a single executive summary, as each topic report will present one. It is hoped that this NGO Report will actively contribute to gender equality and the promotion of women's rights within Vietnam.

The report-writing Core Group

B. NGO REPORT ON CEDAW IMPLEMENTATION IN VIETNAM

TOPIC: WOMEN AND POLITICAL PARTICIPATION

Executive summary

Vietnam has been recognized for its advanced legal system on gender equality in every field. The system is being refined and specified to improve women's roles and their status within the family and society. In order to promote women to participate in politics, the Party and State have approved Resolutions, Decrees, Directions, laws and policies on female cadres. Targets have been set to increase and enhance women's political participation. Therefore, female cadres have been improved in both quality and quantity, which, however, is not sustainable. The proportion of women in the National Assembly is 25.76 percent; in People's Councils at provincial level, 23.8 percent; in People's Councils at district level, 22.94 percent; and in People's Councils at commune level, 19.5 percent for the term of 2007-2011. For the term of 2011-2016, the rate of female cadres in People's Council slightly increases to 25.05 percent at provincial level; 24.79 percent at district and 22.26 percent at commune level. Thus the set target of 30 per cent participation has not been achieved at any level of the Government.

In general, women's political power remains weak and the gender gaps in politics have not been significantly reduced. Targets were set for women's participation in politics; however, some of these have not been achieved. Therefore, women's voices and influence in the policy making process remains limited. One reason for this is that women are not treated equally to men in terms of retirement age in political participation. Therefore, their political careers are hindered in terms of promotion as they have to retire at the age of 50. .

The main causes for the above situation are weak political leadership, especially from those in the Party Executive Committees and state agencies and organizations. There has been a lack of direction, management, investigation, monitoring and evaluation of the Government and State bodies on their realization of Resolutions, Decrees, Laws, Policies related to female cadres' work. People and leaders' awareness of gender equality is limited and "male chauvinist" thinking is dominant. The state management bodies for the advancement of women (NCFAW, GED and VWU) do not work effectively.

Recommendations to the State focus on: strengthening accountability of the Party Executive Committee and leaders at all levels (central, provincial, district and commune) and branches in setting and directing the implementation of female cadres planning as well as providing support policies for them; enabling a mechanism to bring into play leaders', people's and women's organizations' democratic participation in developing and improving female cadres.

1. Introduction

Gender equality and women's rights have been recognized in many international legal documents. Women's right to participation in political life is especially stipulated in the:

- Convention on the Elimination of all Forms of Discrimination against Women (CEDAW); Articles 2,3,4,7 and the General Recommendation No 23;
- Beijing Declaration and Platform for Action;
- Millennium Development Goals (Article 3).

In Vietnam, women's equal right to political participation is recognized in the:

- Constitution of Vietnam in 1946 and amended one in 1992: "Vietnamese citizens are equal in every economic, political, cultural, social and family aspect" (Articles 63, Constitution in 1992);
- Laws on Election of Deputies to the National Assembly and People's Councils, 2003 (Article 2);
- Law on Gender Equality (Article 11, 2006);
- Resolution No 11- NQ/TW on women's work in the period of accelerating the country's modernization and industrialization, 2007;

- National Targeted Program for the Advancement of Vietnamese Women by 2010 and National Strategy for Gender Equality in 2011-2020 period of the Prime Minister on December 24th 2010;

These targets are defined as follows;

“Strive for increase in the participation of women in Party Executive Committees to 25 percent or above in 2016-2020 term; the number of female Deputies in the National Assembly and People’s Councils to 30 percent or above for the term of 2011-2015 and more than 35 percent for the term of 2016-2020; strive for 80 percent by 2015 and 95 percent by 2020 of the Ministries and equivalent ministerial agencies, Governmental agencies to have female leaders in key posts; strive for 70 percent by 2015 and 100 percent by 2020 of the Party, State bodies and socio-political organizations to have female leaders in key posts in the agencies with 30 percent of female cadres, civil servants and workers.

Vietnam is amongst one of the nations that have been highly rated for its progressive legal framework on gender equality and its remarkable achievements on achieving gender equality in a number of fields. Over the past years, the realisation of women’s political rights, especially their right to political participation has improved. Specifically,

- Targets for women’s political participation and decision-making have been adopted in Resolutions, Directions, the National Targeted Programme and Action Plan for the Advancement of Women and Guidelines for Party Congresses, Elections of Deputies to the National Assembly and People’s Councils at all levels by the Party and Government. Women have been elected and selected to key and important posts in the Government, in agencies, units, organizations. Therefore, the number of women who participate in leading posts and decision-making in some fields have increased or stabilized.
- Proportion of the women who are sent to training courses or further education and then elected to decision-making posts, especially deputy ones, has increased noticeably. Vietnamese women have had a representative with high post in the National Assembly (a Vice-President) and two representatives in the agencies of the Party (a female member in the Politburo and two female Secretaries in the Party Central Committee).
- Vietnam established a state management agency for gender equality, which is the Gender Equality Department under Ministry of Labour, Invalids and Social Affairs.
- The Prime Minister has ratified the National Strategy for Gender Equality in 2011-2020 period;
- Women’s Unions at all levels have conducted many positive activities in communicating and popularizing the Gender Equality Law, Domestic Violence Prevention and Control Law as well as in realizing the poverty reduction programme and supporting its female members to participate in social work.
- There are a number of networks formed by non-governmental organizations working on gender equality such as Gender and Community Development Network (GENCOMNET), Domestic Violence Prevention Network (DOVIPNET), Network for Empowerment of Women (NEW), Vietnamese NGOs’ Alliance for Poverty Reduction, Environment Protection and Sustainable Development (VNGOA) and other local and international NGOs. These have undertaken many constructive activities in promoting gender equality in different fields as well as providing consultations to related state laws and policies.

2. Challenges

Though Vietnam has obtained noticeable achievements on gender equality, gender disparity in every field, even in politics, still remain.

2.1. Women’s power and influencing role in the political system is still weak, gender gap in political participation has been narrowed slowly while female participation has not reached the set targets in relation to many posts

2.1.1. Women’s participation in politics remains low and is mismatched with their development

a. Women in the Party

Table 1. Women in the Party Organization (Unit: %)

<i>Executive Committee</i>	<i>2001 – 2006</i>	<i>2006- 2010</i>	<i>2010- 2015</i>
Central	8.6	8.13	8.57
Provinces/Cities	11.32	11.75	11.37
Districts	12.89	14.70	15.01
Wards/Communes	11.88	15.08	18.01

Source: Organization Department of the Party Central Committee, 2007, Vietnam Women's Union, 2011

The data in Table 1 illustrates that the proportion of women at central decision making level has declined while at provincial/municipal level the number has increased. Female participation rate at district level is increasing slowly while at ward/commune level it has grown over 3 percent. The proportion of women at central and provincial/municipal levels has not reached the target of 15 percent except for participation at district and commune levels.

b. Women in the National Assembly

Table 2. Women in National Assembly (Unit: %)

<i>Title</i>	<i>2002-2007</i>	<i>2007-2011</i>	<i>2011-2016</i>
National Assembly deputies	27.30	25.76	24.4
Standing members of the National Assembly	22.20	15.76	23.53
Committee Chairpersons of the National Assembly	25.00	22.22	11.11

Source: Bureau of National Assembly, 2011

The percentage of female deputies in the National Assembly has declined compared to the previous term and did not reach the set target of 30 percent. It should be mentioned here that in the current term (2011-2016), there are two female deputy chairpersons of the National Assembly. The number of female standing members of the National Assembly has increased; however, the number of female Committee Chairpersons of the National Assembly has declined.

c. Women in People's Councils

Table 3. Women in People's Council (Unit: %)

<i>Term</i>	<i>Province</i>	<i>District</i>	<i>Commune</i>
1999 - 2004	22.33	20.12	16.10
2004 - 2011	23.80	22.94	19.53
2011 - 2016	25.7	24.62	21.71

Source: Bureau of National Assembly, 2011

The percentage of women in People's Councils at provincial, district and commune levels has increased over the

terms; however, the increase is only just over 2 percent at provincial level and 3.0 and 3.5 percent at district and commune levels, respectively. The proportion of women represented at provincial and district levels has not reached the set targets of 30 percent.

2.1.2. Very few women hold key posts in Party bodies, elective organizations and authorities at all levels

a. In Party bodies

At central level, for the term of 2011-2016, there is a female member in the Politburo and two female Secretary of the Party Central Executive Committee.

At local level, only 0.25; 5.5 and 7.25 percent of women hold important posts such as secretaries of provincial, district and commune committees of the Party respectively¹.

b. In People's Councils at levels

Table 4. Rate of women holding key posts in People's Councils (Unit: %)

Title	Province		District		Commune	
	1999-2004	2004 -2011	1999-2004	2004 -2011	1999-2004	2004 -2011
Presidents of People's Councils	1.64	1.56	5.46	3.92	3.46	4.09
Vice-presidents of People's Councils	8.19	28.13	11.42	20.26	5.60	10.61

Source: Congress Document of Vietnam Women's Unions, 2011

Table 4 shows that very few women hold key decision-making posts in People's Councils at provincial level (2 percent) and at district and commune levels (below 5 percent). It is noticed that, at each level, the rate of women holding key leadership posts has fluctuated. For deputy or vice-posts, the number of female cadres increases more and more rapidly; however, they do not have decision-making role.

c. In state management bodies

For three consecutive terms (from 1994 to 2011), Vietnam has had a vice-female president. Currently, in the central Government, there is only one woman who is the Minister of Ministry of Labour, Invalids and Social Affairs (MoLISA), accounting for 4.45 percent; deputy female Ministers, 9.87 percent. At the deputy posts, rate of heads of departments and equivalent is 2.75 percent and deputy-heads of departments and equivalents is 20.74 percent².

At local level, the rate of women holding key posts is below 5 percent, increasing 1.5 percent at provincial level and declining at district and commune levels. The rate of women holding deputy or vice posts increases rapidly at provincial level; however, it decreases at district level and increases unnoticeably at commune level (see Table 5). There are 9/35 provinces/cities which do not have female leaders at key posts.

Table 5: Rate of women holding president and vice-president posts in People's Committees at levels

(Unit: %)

Title	Province		District		Commune	
	1999-2004	2004 -2011	1999-2004	2004 -2011	1999-2004	2004 -2011
Presidents of People's Committees	1.64	3.12	5.27	3.02	3.74	3.42
Vice-presidents of People's Committees	12.50	16.08	11.42	14.48	8.48	8.84

Source: Ministry of the Interior, 2011

1. Organization Department of the Party Central Committee, 2008, 2011

2. Committee on Social Affairs under National Assembly, Workshop on Gender Equality Promotion in Politics, October 2010

2.1.3 With regards to quality

Most of the women holding key posts at central and local levels can demonstrate their leadership ability and can complete their assignments with trust. Many of them have been working effectively and are influential voices in policy and law making process as well as in the formulation of Resolutions by the National Assembly and People's Councils. However, women's working quality is inadequate in elective bodies.

There are quite a number of female candidates who have limited qualifications and are unable to represent for the voices of voters in the activities of National Assembly and People's Councils, monitoring and implementing laws and policies as well as the formulation of Resolutions by the National Assembly and People's Councils.

These female members are usually voted formalistically. They have not been trained, improved or had little experience in social and political participation. For example, many female members in People's Councils must be ethnic minority, religious, young or non-party. Though they can meet above requirements, they do not have enough qualifications. In the National Assembly, the proportion of female and male deputies is different at different levels. Female deputies makes up 25.1 percent at commune and district levels and only 12.7 percent at central level while the proportion of male deputies accounts for only 4.31 percent at commune and district levels but up to 28.1 percent at central level.¹ The proportion of women in elective bodies is low and they participate in politics more tokenistically without as much qualifications as men, which is the reason why women have not gained an influencing voice in policy and decision making process.

2.1.4 In terms of working fields

Most of the women are holding leadership posts in social fields (health, education, labour, mass organizations, etc). Only a small number hold key posts in other important fields such as economics, budget planning, science and technology management, human resource, etc. For instance, between 2007 and 2011, female National Assembly deputies account for only 8.3 percent in Economic and Budget Committee; 11.4 percent in Finance and Budget Committee; 14.3 percent in Law Committee; 16 percent in Foreign Affairs Committee and 0% in National Defense and Security Committee. Therefore, women's influencing voices in policy and decision making process for economics, finance, budget planning, home affairs, national security issues is limited.

Amongst 53 female standing members of the Party provincial Committee (2005-2010 term), there were up to 50.9 percent of them in charge of public relations, mass organizations, investigation and monitoring when only 16.9 percent of them are presidents and vice-presidents of People's Committees.

2.2. Women's right to political participation is limited due to their stipulated working age being lower than men

As defined in the current Labour Code of Vietnam, men's working age is up to 60 when women's is only 55 years. This causes effects on women's ages to be planned, trained, improved and promoted in their career.

For instance, the Decree No 37 dated August 4th 2009 of the Party Central Politburo stipulates, "... *the cadre participating in the Executive Committee for the first time must have two years of working or more or at least a working term of 5 years. Standing members in provincial, municipal Executive Committees and Party Committees under the Central must have at least 3 years (36 months) before their retirement can be introduced to re-elect. In a special case, if they are highly trusted and approved by their superiors, Secretary of the Provincial Executive Committee can be introduced if she/he has enough age to work ½ term (30 months)*".

As stipulated in the above-mentioned Direction, only the women below 50 years are nominated for the first time or in special cases 52 years (at the posts in provincial standing committees of the Party and Party Committee under the Central) can be re-elected. As a result, at least 60 percent of female members in the provincial Committee of the Party nationwide are unable to run for re-elections in 2010-2015 term and 50 percent of female National Assembly deputies in 2007-2011 term will face with difficulties in being re-elected in 2011-2016 term. (Source: adopted from CEPEW, ActionAid Vietnam, Report on Women's Political Participation in Vietnam, Laos and Cambodia, March 2010).

The gap in retirement age between men and women has led to the disparity in men's and women's further education, nomination and promotion in political participation. This is against the Gender Equality Law, which states that "*men and women are equal in term of professional qualifications and age when they are promoted or appointed to the same management and leader posts in agencies and organizations*", and against the Resolution

1. CEPEW, an analysis of the List of elected National Assembly deputies, Youth Newspapers, May 30th 2007.

No 11 - NQ/TW of the Politburo *“ensuring age equality in planning, promotion and appointment for men and women”*.

In fact, women’s retirement age is 5 years earlier than men’s, which means women have fewer chances to be re-elected or promoted to higher leadership posts. As a result, there is a shortage of female candidates for many posts. Most of the women only hold their leadership posts for one term while men can hold their post for two terms. New changes of key female cadres every term have an effect on the quality of female cadres as well as their working efficiency.

3. Causes

There are many causes, which have negatively affected women’s equal right to political participation.

3.1 Persistence of gender stereotypes and discrimination in politics

The concept of “domestic work is for women when political one is for men” and “male chauvinist” thinking have significantly affected men’s, community’s and even a number of women’s attitudes and behaviours to women’s political participation, such as:

- Disregard for or devaluing women’s capacity and qualification; Lack of support for women to participate in key leadership and decision-making posts.
- Assuming that women are only suitable to social fields, so women are not appointed to key posts in economic management, budget planning, finance, planning, human resource fields, etc.
- Gender stereotypes have negatively affected the support of community, families and even women’s own confidence to participate in politics.

3.2 Weak political will of many Party Executive Committees and leaders of organizations regarding female cadres’ work.

Many leaders have not had high determination on directing, developing and implementing the policy and planning for female cadres’ work in their branches and levels.

There is a lack of a long-term strategy in mapping and implementing the female cadres planning as well as a lack of investigation, supervision, periodic sum-up and summary for the implementation of Resolutions, Directions on female cadres’ work.

There is no specific mechanism to bring into play the democracy in building a segment of female cadres.

3.3 Lack of appropriate policies to promote gender equality in politics

Current training and education policies for cadres have limitations with respect towards women’s equal participation in politics. For instance, the Decree No 04/2006/QĐ-BNV dated January 25th 2006 stipulates, *“each person after their overseas training and further education must work for state agencies for at least 10 years”*, which means that the permitted age for women to participate in those training courses or education must be below 40, whereas for men it is below 45 years. This is again because women’s retirement age is 5 years earlier than that of men’s. As a result, women’s right to equal opportunity in political participation has been violated.

Lack of preferential policies to encourage women’s political participation and assist them to overcome the difficulties arising from their family roles to participate in appropriate training causes by region and different target groups.

3.4. Advisory role of Women’s Unions at different levels for female cadres’ work is limited

Capacity of providing consultancy and advice for female cadres’ work of the Women’s Union at levels is limited, especially at local level.

Women’s Unions at all levels lack active plans to seek women candidates for the planning of female cadres and propose the policy for female cadres.

Women’s Unions at levels have not recommended to the Party Executive Committee to formulate specific

regulations on participatory mechanism of Women's Union in the female cadre planning process as well the process of developing female cadre policy.

4. Roles of Vietnamese non-governmental organizations (VNGOs)

Gender equality promotion in political participation is one of the objectives in the actions of local and international NGOs in Vietnam. Many local NGOs such as CEPEPW, DWC, CISDOMA, CSDP, CDA, SRD, RCGAD, LAC, CSEED, CSAGA, etc. have been conducting projects in community on:

- Poverty reduction and hunger elimination.
- Promoting women and men's democratic participation in community activities based upon the implementation of the Grassroots Democracy Ordinance.
- Information dissemination to improve community knowledge of gender equality and CEDAW.
- Conducting studies, surveys on the situation of women's participation in politics; and organizing workshops on the role of NGOs in promoting gender equality and women's political participation.
- Conducting intervention projects to build capacity for the candidates of People's Councils; strengthening women's voices in decision-making, improving capacity of community leader.
- Involving in building training manuals for the candidates of People's Councils, National Assembly and strengthening policy advocacy capacity of the members of Women's Unions at local level;
- Improving policy advocacy capacity of NGOs.
- NGO activities in gender equality field and gender equality in politics are sparse; however, they should be replicated to contribute to effective governance in localities.

5. Recommendations

5.1 Continued and regular promotion of awareness raising communication on gender equality in every sector for the whole of society. Strengthening accountability commitments of Party Executive Committees and leaders of agencies and organizations in directing and managing the implementation of Resolutions, gender equality policies as well as monitoring and speeding up the formulation and implementation of cadre planning in general and for female cadres in particular;

5.2 It is necessary to soon review normative legal documents, amend unreasonable provisions in the Gender Equality Law and Resolution No. 11 – NQ/TW dated April 27th 2007 of the Politburo on women's work in the period of accelerating the country's industrialization and modernization.

In order to execute gender equity and substantive gender equality in the political field, it is necessary to:

- Be flexible in stipulating women's age limit for training and further education (maybe earlier or later depending on women's real situation);
- Flexibly execute regulations on maximum working years for female cadres to be re-elected or appointed to higher posts (unnecessary similar to men); and,
- Flexibly apply criteria in promoting female cadres (introduce young or inexperienced female cadres and provide training for enhancing their capacity and improving their standards).

5.3 It is vital to reconsider women's retirement age in order to ensure equal rights for women, especially the right to equal political participation as men.

5.4 Supplement and specify support policies to encourage women to participate in training and further education to improve their working qualifications:

- Review and amend budget to support women pursuing further training and education,

especially ethnic minority women in mountainous and remote areas;

- Set up standard kindergartens in political schools and units to create favourable conditions for women to bring their children along with them when they pursue their further education and training courses;

5.5 In order to ensure the quality of female cadres in the elective bodies system, it is necessary to improve negotiations in nominating female candidates, considering the situation that female candidates have to present for many roles. It is essential to encourage and support women to nominate themselves.

5.6 Improve the working quality and role of Women's Unions and Women's Affairs Councils under the Vietnam General Confederation of Labour in planning for the development of female cadres and formulating policies for them;

- Develop a specific mechanism to ensure the voice of Women's Union at all levels to be reflected in the female cadres planning process (introduction of female candidates, putting them in the planning, sending them for further education and training, evaluating and promoting them);
- Women's Unions need to have a long-term strategy to introduce potential female candidates to Party Executive Committees for further cadre planning and arranging consultations for female cadres with the Party and State;
- It is necessary to have further studies to create a mechanism for women's affairs councils under the Labour Confederation at all levels to actively participate in counseling female cadres' to improve their work in branches and at all levels.

5.7 It is necessary to strengthen the National Committee for the Advancement of Women and the state management system for gender equality. It is necessary to strengthen the organization, personnel, operative regulations and resources to enable this state management body to satisfactorily perform its counseling functions and state management of gender equality in general and for gender equality in politics in particular;

5.8 Encourage, create conditions for social organizations to be involved in support of activities for women's political participation.

TOPIC: ETHNIC MINORITY WOMEN AND EDUCATION

Executive summary

Vietnam has 53 ethnic minority groups, which are mainly living in the central and northern highlands. These mountainous areas suffer from extreme economic disadvantages. Equality among groups and between men and women is central to policies concerned with Vietnam's development. From 2007 to now, education in ethnic minority areas has achieved positive changes in terms of teaching and learning quality, improving infrastructure as well as mental and spiritual life of teaching staff.

Along with the rest of country, the provinces where ethnic minority groups are living have fulfilled their universal education for the primary and lower secondary educational level. The state budget invested in education had increased from 15.5 percent in 2001 to 20 percent in 2007 and has since remained stable. By April 2009, of nearly 65 million people aged 15 years old and higher, up to 93.88 percent were literate, of which, literate women accounted for 91.85 percent while literate men made up 96.01 percent. For ethnic minority women at the age of 15 years old and higher, 88.12 percent were literate in the Northwest; 87.26 percent were literate in the Northeast; the Midland, 92.7 percent, the Central Highland, 85.2 percent. Vietnam is among one of the countries which can obtain the goal of education for all by 2015.

Many local and international NGOs in Vietnam have conducted constructive programmes/ projects/ activities in reforming and developing education for ethnic minority areas in general and ethnic minority women in particular. However, in reality, ethnic minority women's rights for access to education have not been executed properly due to many barriers, difficulties though the Government and State have given them special and preferential policies. The biggest challenge is that the rate of illiterate ethnic minority women remains very high. The disparity between women – ethnic minority women - the Kinh people and men – ethnic minority men – the Kinh people is nearly double. The percentage of illiterate women in comparison with illiterate men is nearly 10 percent.

Ethnic minority women's access to education is unequal not only in relation to ethnic minority men but also for other people in other areas, which makes this rate higher. Moreover, ethnic minority women's access to community learning centres is limited. Main causes for the situation are because of economic underdevelopment, language barriers, old practices; limited and inefficient investment in education in ethnic minority areas.

Recommendations include: (i) fostering sustainable and effective education aimed at the elimination of illiteracy; (ii) promoting the effective implementation of programmes on poverty reduction in ethnic minority areas; (iii) strengthening preferential policies to assist education in mountainous areas.

1. Introduction

The Vietnamese people are possessed of traditional fondness for learning. Nowadays, learning in particular and education in general have been emphasized by the State.

Along with international treaties and laws such as Covenant on Cultural, Economic and Social Rights (Article 13); Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) (Article 10); and Concluding Comments by CEDAW Committee to Vietnam in the 37th Session (20th and 21st Paragraph), the Government of Vietnam has issued and implemented policies to promote education for all in general and for ethnic minority groups in particular. Specifically,

- Strategy for education development in 2001-2010 period which was approved according to the Decision No 201/2001/QĐ of the Prime Minister
- Law on Education, 2005 (Article 11) and its guidance documents;
- National Programmes on Education for All in 2003-2015 period. In which, gender equality in education is recognized as a prioritized objective: "elimination of gender inequality in primary and secondary education by 2005; towards gender equality in 2015; special attention given to ensure girl children have full and equal access as well as complete basic education with good quality".

- State budget investments in education has continuously increased from 15.5 percent in 2001 to 20 percent of the total state budget in 2007 and it has remained at this level until 2011.

Thanks to the great efforts by the Government over the past years, Vietnam has attained certain achievements in education in general and gender equality in education in particular.

Currently, the literacy rate for women stands at 91.85 percent in comparison with that for men 96.01 percent¹.

The rate of female and male students at all educational level is nearly the same. Specifically, the rate of school girls for the 2007-2008 term was 47.9 percent for primary level; 48.5 percent for lower secondary level; 52.6 percent for upper secondary level; 51.2 percent for college and 48.5 percent for tertiary education²

Equality in education among ethnic minority groups in Vietnam is a basis for gender equality in education among ethnic minority areas. Number of ethnic minority population only account for 13.8 percent (11,869,000 people) of the national population; however, number of ethnic minority students at primary level is only 17.85 to 18.40 percent of the total national number of student at primary level from the term 2006-2007 and 2008-2009 respectively.³

Especially, the rate of ethnic minority boys and girls at the age of 6-14 years old are nearly equal for the term of 2007-2008. In some areas, the rate is even higher (89 percent of girls compared to 87 percent of boys).⁴ Therefore, it can be said that Vietnam nearly eliminates gender disparity in primary education, which was highlighted in the Dakar Action Framework on Education for All in 2000 (Objective 5).

The State of Vietnam has promulgated and implemented many policies to ensure justice in access to education, especially, education for girls and ethnic minority children. These policies include tuition fee exemption, scholarships, free textbooks, exemption of school fees, sending ethnic minority students to vocational training schools, colleges and universities; priority given to recruiting female graduates. In addition to policies for ethnic minority groups, the State has also promulgated and executed special and preferential policies on education for nine ethnic minority groups (with a population of less than 5,000 people per group).

In terms infrastructure for education, the State has invested in building up a system of boarding schools for ethnic minority students. As stated by the Department of Education for Ethnic minority group, Ministry of Education and Training, annually, of the total number of students of these schools, 30 percent of female students who are ethnic minority ones.

In order to create opportunities and learning conditions for ethnic minority groups, Vietnam has carried out many educational programmes in addition to the formal educational system such as non-formal certified education. These certificates have equivalent values to those of the formal education programmes. They provide education and training in accordance with learners' demands for knowledge, skills and technology transformation. Vocational training courses are also useful in, developing community learning centres in wards and communes.

2. Challenges

2.1. The percentage of illiterate ethnic minority women at the age of 15-40 years is quite high

2.1.1 A comparison among the rates of illiteracy by areas, men-men, women-women of Kinh group and other ethnic minority ones.

There is a quite big disparity between the illiteracy rates of Kinh men, women with those in ethnic minority and extremely disadvantaged areas. The highest disparity (nearly two times higher) is the illiteracy rate between women-women and men-men belonging to the Central Highland and North Central Coastal Vietnam as well as the mountainous areas in the North. Therefore, it can be concluded that, ethnic minority women in mountainous areas and those with extreme economic disadvantages have fewer opportunities to access education (specifically, illiteracy elimination education) than the women in Kinh group and especially much less than the rate of ethnic minority men in the same living areas. Specifically⁵:

1. Adopted from the result of the Population and Housing Census on April 1st 2009, GSO.
2. Ministry of Education and Training, 2008.
3. Sum-up Report on 05 years of implementing the National Action Plan on Education for All, 2003-2008, Ministry of Education and Training.
4. GSO, 2008.
5. Situation of gender equality in ethnic minority areas and those with extreme economic disadvantages, Committee for Ethnicities, November 5th 2010.

- In the North Central Coastal Vietnam and mountainous areas of the North, rate of illiterate Kinh men is 1.2 percent while illiterate ethnic minority men is 12 percent; rate of illiterate Kinh women is 0.9 percent while rate of illiterate ethnic minority women is 24 percent.
- In the Central Highland, rate of illiterate Kinh men is 1.3 percent while illiterate ethnic minority men is 17.1 percent; rate of illiterate Kinh women is 1.1 percent while rate of illiterate ethnic minority women is 29.1 percent.
- In the South, rate of illiterate Kinh men is 5.1 percent while illiterate ethnic minority men is 15.4 percent; rate of illiterate Kinh women is 4.6 percent while rate of illiterate ethnic minority women is 19 percent.

2.1.2 A comparison on rate/number of illiterate men and women in some provinces¹

As illustrated above, the rate of illiterate ethnic minority women nearly doubles the rate of illiterate ethnic minority men in ethnic minority areas. In Lai Chau and Son La, the two provinces with extremely disadvantaged economic conditions, the rate of illiterate ethnic minority women and men are 64.27 and 30.34 percent, equivalent to 61,530 and 29,860 people, respectively. In Son La, by late 2009, up to 27,000 ethnic minority women were illiterate. Especially, there were 204 illiterate women who are members of Vietnamese Women's Union.

Gia Lai, a province located in ethnic minority areas and the place with extreme disadvantaged economic conditions, the rate of illiterate rural women was 31.8 percent while the rate for men was only 16.1 percent.

2.1.3 Causes

- a) Ethnic minority women in remote and mountainous areas have not had right awareness of how essential literacy is. Difficulties in their daily life have prevented them from the right awareness of the importance of literacy.
- b) Ethnic minority women have become literate by being taught Vietnamese; however, in daily life, they only use their mother-tongue, so they seldom use Vietnamese. That is the reason why they are at high danger of being illiterate once again.
- c) Educational managers often believe that illiteracy elimination is an easy task that anyone can do if he is literate. However, in reality, the task requires much profession and qualification. Therefore, effectiveness and quality of teaching and learning is low. The teachers who are performing their tasks have limited qualification and teaching skills while they are under evaluated for their skills and methods in encouraging and fostering their students' fondness of study at classes. There is also a lack of preferential policy to attract qualified teachers to eliminate illiteracy for people. In the border areas, border soldiers usually work as the teachers for illiteracy elimination programmes; however, their teaching quality is not high because they are limited with teaching methods for adults.
- d) Because of low-quality education at primary level in ethnic minority group in comparison with the national standard, ethnic minority women are still at high danger of relapsing into re-illiteracy though they pass they have passed at educational level. In Na Khoa, Na Hy, Na Bung, Pa Mi, Na Co Sa of Muong Nhe district, Dien Bien province, due to difficulties in infrastructure, teachers' qualifications, traveling conditions, poverty, about 30 percent of the children have not participated in the primary education level at the right stipulated age (6 years old). Though they go to school, they only complete the primary level. As estimated by Lai Chau Department of Education and Training, at least 50 percent of H'Mong ethnic minority girls will be illiterate only after 1-2 years when they leave school.²

Another issue that should be mentioned here is that most of the teachers cannot speak ethnic minority language, so they will face challenges in teaching ethnic minority students and making them understand what they teach. For instance, in Bac Quang district, Ha Giang province, of 20 illiteracy elimination classes for Pa Then ethnic minority group, only 02 facilitators (teachers) can speak Pa Then language, the remain ones (primary teachers) cannot speak it.³

1. Situation of gender equality in ethnic minority areas and those with extreme economic disadvantages, Committee on Ethnicity, November 5th 2010

2. Lai Chau Department of Education and Training, March 2011.

3. Interviewing an Action Aid Vietnam project officer who work on illiteracy elimination

2.1.4 Consequences caused by illiteracy amongst ethnic minority people are more serious than those caused by illiteracy for Kinh people

In general, illiteracy is often correlated with poverty and vice versa. However, illiteracy of ethnic minority groups is prevalent by resident areas, so its consequences are spread and long-lasting, difficult to overcome. Negative impacts for illiterate ethnic minority women include:

- a) Ethnic minority women have very few opportunities and capacity to escape from poverty, shifting from agricultural, manual and traditional work to service or small-scale business to get a better income;
- b) They hardly enjoy their civil right and civil transaction. They almost depend on men.
- c) They face many challenges in enjoying their citizen right to vote, stand for an election. As a result, many of them themselves refuse this right.
- d) Because of illiteracy, many ethnic minority women are easily cheated, kidnapped or become victims of human trafficking, especially in border areas. Also because of illiteracy, many of them cannot distinguish poor quality commodities and good one or their expired dates.
- e) Because ethnic minority women have low educational level, their role as the first teachers of their children is limited;
- f) Finally, an ethnic minority community with a high illiteracy rate will face with many challenges and constraints in the development process.

2.2 Ethnic minority women have very few opportunities and capacity to access other educational forms

The State of Vietnam is striving for a learning society. In order to realize the goal, Vietnam has developed many non-formal educational forms. Department of Continuous Education (MoET) is the state agency that manages non-formal education system.

2.2.1 Ethnic minority women seldom access continuous education

Aim of the continuous education system in Vietnam is to provide learning opportunities for people who cannot participate in the formal education system.

Non-formal education is very diverse, which creates chances for people to obtain educational certificates or diplomas which are equivalent to formal education. Moreover, this educational form also helps people improve their knowledge and skills.

Kinh men and women have more opportunities and conditions to access non-formal education; meanwhile, ethnic minority women have no or few opportunities and conditions to access this educational form. For the women of 09 ethnic minority groups in Vietnam (with the total population for each group of less than 5,000 people) including Co Lao, Si La, Pu Peo, O Du, Cong, Brau, Ro Mam, Mang and Boy, nearly 100 percent of their population are illiterate except for the girls and boys who are learning in boarding schools. Opportunities to access the continuous educational form are rare because the educational units are not located in remote and mountainous areas where they are living. These people, therefore find it difficult to access other educational forms.

Pa Then, H'Mong, Dao women in Bac Quang district, Ha Giang province only have some chances to access other forms of education when some NGOs carry out their projects which are mainstreamed with educational contents. In Dak R'lap district and Gia Nghia town, Dak Nong province, as evaluated by key local staff (direct interview, March, 2011), E De, M'ngong women (the ethnic minority groups with matriarchy), up to 80 percent of them can make decision on and control over reproduced labour, only 20 percent can make decision on education like education for themselves to read and write, continuing their education to obtain higher educational level, encouraging their children to go to school, purchasing studying tools for them, participating in meetings with schools, etc...¹.

In ethnic minority areas, number of women graduating from supplementary training courses only account for 25 percent of the total examinees. For instance, in 2008-2009 school term, in the Central Highland areas, only 6,270 ethnic minority people entered the exam to pass the supplementary lower secondary level, 20 percent of whom were women².

1. Report on evaluating poverty with participation of community in Quang Ngai and Dak Lak. Anti-poverty action group, 2003.

2. [http://vn.search.yahoo.com/ket qua thi tot ngheiep](http://vn.search.yahoo.com/ket+qua+thi+tot+ngheiep).

The continuous educational centre in Mai Chau district, Hoa Binh province has 420 students who come from 10 ethnic minority groups in 21 communes in 2010-2011 term. In which, about 30 percent of them are women¹ The gap between the aim of continuous education and the real situation for ethnic minority women has resulted in;

- The women who can only read or write are unable to participate in the classes of the continuous educational centre. For other, they are not fully aware the importance of education to poverty reduction, living standard improvement, empowerment and gender equality realization.

Especially, for the ethnic minority group with matriarchy such as E-de, M'ngong in Tay Nguyen, women have to spend more time on child rearing and other household activities thus they have no time to pursue either formal or non-formal education. In the villages of Dak Blao commune, Dak R'lap district, Dak Nong, nearly 100 percent of the women aged 35 years or higher are illiterate².

- Only about 50 percent of the ethnic minority district have continuous educational centres. They are only located in districts; meanwhile, women find it difficult to travel to these centres to study because of their household chores.

2.2.2 Ethnic minority women have very few opportunities to access vocational training

In Vietnam, rate of vocationally trained workers is still low, at about 30 percent. As announced by Department of Vocational training, currently, there are many vocational training programmes with different levels to develop human resources.

The system of vocational training schools is being expanded to district level. However, in ethnic minority areas, vocational training is mainly carried out by practice or pilot models, which are maintained by social organizations. VNGOs have been actively worked on projects for vocational training for ethnic minority women.

In reality, vocational training for ethnic minority people in general and ethnic minority women in particular has undergone many changes. For instance, the Brau ethnic minority group has only 630 people with 182 households who are living in Dak Me village, Bo Y commune, Ngoc Hoi district, Kon Tum province. In 2010, 50 women participated in the training courses on skills and methods for weaving brocade products and illiteracy elimination of the project on "support and develop Brau ethnic minority group in Kon Tum", which was approved by the Chairperson of Ethnic Committee according to the Decision No 255/QD-UBDT dated August 29th 2008 with total budget of 25.5 billion dong, of which, 18.6 billion are for infrastructure development.

As informed by Dak Nong DoLISA, in 2010, 7,414 people participated in vocational training courses, in which, intermediate level, 557 people, pre-intermediate, 3,257 people; and socialization form (less than 3 months) for 3,600 people. Women accounted for 28 percent of the total number. Trained trades include weaving brocade products, tending, veterinary, civil electricity, information, and care-taking. In 2010, three (03) vocational training centres have been formed at district level.³

Due to illiteracy, ethnic minority women have many difficulties in accessing vocational training programmes for rural areas according to the Decision No 1956/ QD-TTg of the Prime Minister. In Lai Chau province, according to the report by Department of Labour, Invalids and Social Affairs, in two vocational training courses on agriculture, forestry and non-agriculture, up to 30 percent of the workers were illiterate; many people could not speak Vietnamese language of which, most were women.

Similarly, in Dien Bien province, in two training courses on skills for welding and planning, caring and processing coffee beans and the plants, there were 35 participants and many of them were illiterate. For such intellectual level, trainers had to practice methodologies to communicate with trainees and the training results were limited. In Gia Lai, because many women were illiterate, Vietnam Cigarette Corporation had to deliver their lectures in fields in a practical way according to the growing process of tobacco plants and women learn and practice in fields. (Source: *Today Rural Newspaper*, December 21st 2010).

However, the above-mentioned examples of adapting courses to meet the needs of illiterate men and women are few. Ethnic minority women, especially those in remote areas still have few chances to access vocational training services.

1. In-depth interview with Director of Mai Chau continuous educational centre, December 2010.

2. In-depth interview with head of Dak R'lap Women's Union, March 2011

3. *Today Rural Newspaper*, January 1st 2011

2.2.3 Ethnic minority women have few opportunities to participate in activities of the community learning centres

Community learning centres is an active solution to meet people's demand of learning in different fields in villages and communes. These centres belong to the non-formal educational system and they are set up, managed and operated by the community (as stipulated by MoET) to contribute to improving people's essential knowledge and information. By 2009, there had been 9,950 community learning centres nationwide, of which, 24 out of 64 provinces/cities had 100 percent of communes, wards, towns that have community learning centres.

Also by 2009, there were 1,050 communes, wards that did not have community learning centres. Most of them are located in mountainous and remote areas where ethnic minority groups are living¹. However, in the areas with community learning centres, ethnic minority women have few conditions to go to them.

2.2.4 Rate of female students at boarding schools is low

Vietnam has set up and maintained a special school system under the formal education system for ethnic minority children. This type of school is called a "boarding school". In all ethnic minority areas, boarding schools are formed from district to provincial levels.

These schools have function of training human resource for ethnic minority community. Both girls and boys, men and women have equal opportunities to attend them. The State subsidizes all students in the schools.

Students are enrolled by local authorities and mass organizations at commune level. Due to gender stereotyping of girls, boys are often selected to attend schools. As a result, total female students in these schools are very low.

For example, in Dam Rong boarding school in Lam Dong province, for the school term of 2008-2009, in 6A class, there were 25 students, of which none were girls, in 6B class; only 4 students were female ones. Study achievements at the end of school year, in 6B class, average and poor students were 10; however only two of them were girls.²

Rate of female students is low; however, rate of them pursuing higher educational levels is also low. Many of female students have to drop out of school to help their parents earn a living or get married with an average rate of 3-4 percent per year.³

2.2.5 Causes

**) Poverty is quite prevalent in ethnic minority areas*

Though the State has approved and deployed many programmes, projects to support the development of ethnic minority areas, poverty is still prevalent here. In many ethnic minority communes, rate of poor households is up to 80-90 percent. Many districts have up to 60 percent of poor households. Typically, there are 62 poor districts which are recognized by the State. Currently both State and enterprises are conducting many programmes to support them. Because of poverty, many ethnic minority women are only concerned about food and clothes but not education for themselves and their children.

**) Language barrier*

This cause has been recognized by educational management agencies at levels. However, Vietnam has not tried its best to deal with this barrier and many people, including the leaders who are ethnic minority people, do not want to promote the use of bi-language. When growing up, ethnic minority people's working language can be Vietnamese or foreign but at school, because of limited Vietnamese, they cannot fully understand and master all taught knowledge. As a result, it is easily understood the situation that ethnic minority girls repeat grades or drop out. As reported by Cao Thuong Women Union, Ba Be district, Bac Kan province, the biggest challenge for ethnic minority women to participate in training course, further education or village meetings is language barrier because in these training/meetings, only Tay or Vietnamese language are use but not H'mong or Dao language. Moreover, due to the long-lasting tradition of ethnic minority groups, women are often fearful to attend meetings and speak in front of the public.⁴

1. Sum-up report on three years of implementing the master plan on "building a learning society" and developing community learning centres, MoET, Oct 27 2008.
2. <http://www.dtntdamrong.edu.vn>.
3. MoET, above-mentioned report
4. SDC- Commune Development Fund, Cao Phuong Commune

**) Separated geography causes traveling disadvantages*

Due to separated geography, people live in different areas, so schools are often far from households. As a result, small children (aged 6-7 years old) face difficulties in going to schools by themselves. Girl children also face with kidnapers or sexual abusers or natural disasters as flood, etc... Therefore, girl children often face with more constraints than boy ones.

**) Unequal custom and practice*

Due to backward custom and practice, girl children have to work or get married at a young age. Therefore, if a choice should be made for boys or girls to go to school in a family. Boys are often selected while girls should stay at home to help their parents.

3. Vietnamese NGOs' roles

Many VNGOs have actively contributed to the promotion of education for ethnic minority areas.

- *) Implementing many projects on poverty reduction for many ethnic minority areas in three main regions of Vietnam (the North, the Central and the South) to create favourable conditions for educational development of ethnic minority groups.*
- *) Having conducted a number of education projects for ethnic minority groups, including:*
 - Improving the quality of primary education;
 - Eliminating illiteracy among ethnic minority people, especially among girl children and women;
 - Studying advanced teaching and education methodologies; compiling training manuals; improving facilitators' capacity; introducing progressive, modern education methodologies in to the education system;

Analyzing, evaluating, criticizing the situation of Vietnam's education to make appropriate recommendations;

- The above-mentioned activities carried out by VNGO have positively contributed to the awareness raising and attend more concern from the educational branch to education for ethnic minority areas; improving the educational quality and management and direction of the educational branch in many localities.

4. Recommendations

4.1 Promoting the implementation of poverty reduction programmes with people's participation to create favourable conditions for educational development in ethnic minority areas;

4.2 The State needs to provide assistances in terms of electricity, drinking water, textbooks, notebooks, pens, raincoats, flashlights, etc. for women when they attend the illiteracy elimination training classes. In addition, heads of hamlets and villages should be supported with some finances to mobilize and monitor illiteracy elimination classes. The classes should be located in mountainous villages and hamlets. A family can be assigned as the place for training courses with similar support as heads of villages and hamlets. Combining Vietnamese illiteracy elimination with other available ethnic minority languages. The educational branch and authorities at levels should pay attention to illiteracy elimination and further actions to combat people's re-illiteracy.

4.3 Further implementing the policy to support ethnic minority children with education and expand the scope of this policy to other ethnic groups. At the same time, measures should be taken to ensure justice in selecting and sending girl children to boarding schools. Effective measures should be put in place to ensure the teaching of languages of ethnic minority groups at schools and in the continuous centres since 2011.

It is needed to train more teachers who are from ethnic minorities.

4.4 Promoting the innovation of educational curriculum, textbooks that are suitable to ethnic minority people's learning capacity; re-arranging the learning timetable at the schools for ethnic minority groups to minimize impacts caused by climate.

4.5 Local authorities need to apply effective measures to mobilize local enterprises perform their social responsibilities for contributing to education in ethnic minority areas, similar to the work done in Dak Lak province;

4.6 It is essential to set up targets and allocate budget for establishing and maintaining community learning centres in ethnic minority communes. MoET should compile training materials and improve the qualifications of teachers, community officers to realize educational programmes in accordance with learners' demand. Each ethnic minority districts need to build up a key community learning centre in combination with commune cultural houses and post offices to disseminate knowledge according to the continuous education to meet learners' demand and encourage ethnic minority women to participate in them.

4.7 Encouraging Kinh teachers to learn ethnic minority languages to effectively teach ethnic minority students;

4.8 Local broadcasting and radio stations should develop educational programmes for ethnic minority women in their language.

TOPIC: RURAL WOMEN'S ECONOMIC RIGHT

Executive summary

In Vietnam, the female rural workforce accounts for nearly 72 percent of the total national female workforce. However, most of the female workers have not been trained and they only do unskilled work with low incomes.

Causes for the above-mentioned situation are that gender stereotypes, which limit women's important roles and responsibilities in their families and society, result in unequal access to education and training. Due to impacts of industrialization, modernization and urbanization farmers are facing huge challenges in shifting the use agricultural lands to other purposes. Moreover, rural women have more difficulty in changing their work than men. In addition to causes arising from low qualifications and working skills, women have to perform their main role within the family as domestic workers, care-takers and farmers.

Vocational training provided for rural workers in rural areas, especially for women to assist them to get work in urbanized areas has not been effective. No preparation/training courses for farmers are held before the Government takes agricultural lands from them for non-agricultural production or if any, trained professions are inappropriate to the demand of the labour market, or training methods are ineffective with lack of or no post-training assistance for trainees, so workers have difficulty in seeking and maintaining their jobs. Moreover, women are mainly in charge of work related to agriculture but they have very few opportunities to participate in training courses on improving their technical and scientific knowledge. As surveyed, only about 10 percent of the rural women have participated in the training courses on planting skills while only 25 percent have participated in the training on tending skills. The phenomenon of "women do but men learn" is still quite popular in rural areas in Vietnam. Another issue is that rural women's access to land and credit for production is restricted though the State laws and policies have stipulated that women must be protected in these fields.

The State needs to have strategies on training appropriate trades to rural women on the basis of their specific professional levels. Moreover, training courses on raising awareness of gender and gender mainstreaming into employment and labour policies for officials in relevant competent agencies is need to create conditions for rural women to access training and educational services and programmes.

1. Legal ground for executing gender equality in economic sector for rural women

Rural women are more disadvantaged than and unequal to men in every field of social life and also in comparison to women in urban areas. Therefore, greater effort is needed and greater investment required to educate and train rural women in general, and disadvantaged rural women in particular, to improve their situation. .

Vietnam is signatory to international legal documents such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which was approved by the United Nations General Assembly in 197 and the Beijing Declaration and Platform for Action (PFA) in the Fourth World Conference on Women held in Beijing in 1995. Both the Convention and Declaration stipulate specific obligations to their state members in taking care of rural women (the Article 14 of CEDAW and Para 26 of the Beijing Declaration).

Legal instruments and policy measures of the Vietnamese Government have been more and more refined to ensure gender equality for women, with special emphasis on rural women. The Law on Gender Equality (2006), which has taken effect since July 1st 2007, clause 12 on gender equality in the economic field, clause 13 on equality in labour, education and training, selection of trades and professions, states rural women need to have access to training in particular vocational training. MDGs of Vietnam, Comprehensive Poverty Reduction and Growth Strategy (CPRGS); National Strategy for the Advancement of Women 2001-2010 as well as the National Strategy for Gender Equality 2011-2020 have prioritized programmes and actions to narrow gender gaps in every field, especially for rural women.

Since 2007, in addition to the National Strategy for Gender equality in 2011-2020 period, other specific legal documents and policies related to gender equality for women, especially rural women, in the economic field have been approved in Vietnam since 2007 such as:

The Decree No 48/2009/ND-CP dated 19 May 2009 stipulating measures to ensure gender equality in which, clause 16, items 2 and 3 define the accountabilities of some Ministries in coordination with some other

competent agencies and branches to develop, guide and implement the provisions for tax relief and financial priority for enterprises which hire many female workers; the provisions on providing credit assistance to agriculture, forestry and aquaculture promotion for rural women; provisions on the ratio of men and women recruited for appropriate work in suitable trade groups; regulations on preferential selection and recruitment of female workers to the same positions when both the male and female candidates share the same qualifications and education; provisions on training, improving female workers' qualifications and capacity; provisions on providing vocational training assistance to rural women;

Resolution No 26-NQ/TW on Agriculture, Farmers, Rural Areas by the seventh Party Central Committee (2008), which stipulated, "solving employment of farmers is a long-term prioritized mission in every national socio-economic development"; at the same time, the Resolution emphasized the importance of ensuring employment to farmers, especially the areas where land use is shifting away from agriculture.

Decision No 299/QD-LDTBXH by MoLISA assigns competent agencies of the Ministry to study and develop regulations on improving capacity of female workers as well as provide vocational training support for rural women.

Decision No 1956/QD-TTg dated November 27th 2009 of the Prime Minister ratifying the Master Plan for "Vocational training for rural workers by 2020"

Resolution No 30a/2008/NQ-CP on Programme on quick poverty reduction and sustainable development for 62 poorest districts.

The Master plan on "assisting female to learn trades, generate jobs in 2010-2015 period" by Vietnam Women's Union according to the Decision No 295/QD-TTg, which was approved by the Prime Minister in early 2010.

2. Rural women's challenges in economic activities

For the sustainable development and a society of justice, the Government of Vietnam has made great efforts in promulgating and amending legal documents as well as ratified policies on supporting and promoting population groups' living and working conditions, including promoting gender equality. Vietnam's achievements on gender equality over the past years have been recognized domestically and internationally. Gender Development Index (GDI) reached to 0.723, ranking at 94th over 155 countries in 2009 from 0.537, ranking at 72th over 130 countries in 1995 while Gender Empowerment Measurement (GEM) ranked 62th over 109 countries¹. As evaluated by many international organizations, Vietnam were able to achievement almost of all MDGs, one of which is gender equality.

However, there are remarkable gaps in achieving MDGs in different regions of Vietnam. Disadvantaged regions are the rural, mountainous and remote areas, which have difficult socio-economic conditions. Though the country's economic growth has benefited all people some populations such as ethnic minorities, migrant workers from rural to urban areas have fewer benefits than the average national level². In fact, there are certain gender gaps for rural women in many fields such as vocational training, employment and income, access to public services, credit, and land for production.

2.1 Most rural women have not received sufficient training so they only do unskilled work with a low income

2.1.1. Most of the rural women are doing unskilled work with low income

Though the employment rate in rural areas is higher than the employment rate in urban areas (98.08 percent compared to 95 percent of the total labour force of Vietnam)³, most women in rural areas are working in the trades that do not require professional and/or technical skills. Thus working conditions are poor and incomes are low.

The reason for this is the large numbers of untrained female workers with low educational level, especially in rural areas. Over the past years, vocational training for rural women in provinces/cities has remarkably contributed to equipping them with professional and technical knowledge and skills. However, in reality, rural women still have

1. Vietnam Human Development Report 2009 - UNDP

2. Report on Vietnam's implementation of MDGs in 2010 (MPI, June 9-10 2010 in CG's mid-term meeting of 2010)

3. Data in 2008, Labour and Employment Survey of Vietnam, MPI and GSO, September 2009

fewer opportunities to access education than rural men, especially opportunities to participate in vocational training courses. According to the annual publication of statistical data on Labour, Invalids and Social Affairs in 2008, the proportion of untrained rural female workers was 80.9 percent when the figure at the national level was only 74.9 percent. Nearly 90 percent of the rural female workers had not been trained and only 3.65 percent of them obtained trade certificates.

According to the Labour – Employment Survey of September 1st 2009, the number of trained workers with professional and technical skills accounted for below one-fifth (1/5) of the total workforce, the percentage of trained men with professional and technical skills is 6 percent higher than that of women while and the percentage of trained women in rural areas is 20 percent lower than that in urban areas. Therefore, the percentage of female workers with technical and professional skills in rural areas is lower than that of rural male workers and much lower than that of urban male workers. As we can see from the table 1, the proportion of economically active population with tertiary education and above was 7 times higher in urban areas than in rural areas for both men and women in 2009.

Table 6: Proportion of professionally trained workers (Unit: %)

Regions	Having been trained with professional and technical skills			In which, having experienced tertiary education.		
	Total	Male	Female	Total	Male	Female
Nationwide	17.6	20.7	14.3	5.2	5.8	4.6
Urban	32.5	36.5	28.3	13.4	14.8	11.9
Rural	11.7	14.4	8.7	2.0	2.3	1.7

Source: Survey on Labour and Employment, September 1st 2009, GSO

The Survey on Labour and Employment of September 1st 2009 by MPI and GSO show that:

- The proportion of wage earners and non-agricultural, non-forestry, non-aquacultural labour in urban areas was higher than in rural areas (52.4 percent compared to 22 percent); however, fewer women were involved in these trade groups than men (24.2 compared to 35.5 percent; the proportion of labour working in agriculture, forestry and aquaculture in rural areas was higher than that in urban areas (5.2 compared to 2.1 percent). More men were involved in these trades than women (5.5 compared to 3.4 percent); self-employed labour in agriculture, forestry and aquaculture in rural areas was higher than in urban areas (58.4 compared to 11.7 percent) and women were more involved in these occupational groups than men (49.7 compared to 43.2 percent). The above-mentioned percentages show that rural women are still the labour group that are mainly doing vulnerable work. This labour group almost always has no social insurance.
- In terms of income, income difference between labour with tertiary education and above was 2.2 times higher than for and unskilled labourers. Due to low educational and technical level, rural women's income is also higher than men's and even urban women's.

Results from the survey by GSO in 2007 also show that male workers in every age cohort had higher incomes than women. In all occupational groups, women's incomes were only 74.5 percent in comparison with men¹.

2.1.2 Rural women have greater difficulty in improving their technical skills, accessing science and technology courses, and adapting their jobs to a rapidly changing environment characterized by industrialization and globalisation.

Vietnam is in the process of accelerating its industrialization and modernisation and gradually integrating into the global economy. Currently, urbanization and rural agricultural industrialization is creating rapid changes in Vietnamese farmers' life. Positive changes include new job creation for local people and others nearby; an increase in people's income and a growing contribution industry and services towards GDP. An example of this is the impact of WTO accession upon rural women in Vietnam. A study conducted by the Research Centre for Female

1. Survey by GSO, 2007

Labour and Gender, Institute of Labour Science and Social Affairs (ILSSA), MoLISA in Hai Duong (representing for the North) and Dong Thap (representing for the South) in 2009. This found that after two years of WTO accession, expansion of industrial zones in two provinces has provided many employment opportunities for both male and female workers. However, they are mainly young adults who are engaged in light industries such as food processing, garments and textiles, leather and footwear in the industrial zones. In the commercial and service fields, more new employment opportunities are for women than men. Up to 90 percent of respondents (in focus groups) who are migrants said that their income increased markedly when they migrated to find employment. However, currently, due to increased inflation and prices a migrant workers' life has become much more difficult.

Beside positive changes, there are also negative impacts caused by industrialization and urbanization, especially, due to the establishment of new industrial zones and golf courses in agricultural land. From 2001 to 2007, agricultural land had declined by 500,000 hectares. For example in 2007, up to 120,000 hectares of agricultural land were used purposes other than agriculture. This made thousands of farmers' unemployed.¹ Many of these cannot meet the educational requirements for working in industry, (only 27.23 percent of the workers whose agricultural lands were taken back for industrial development completed upper secondary level and only 14 percent of the workers are trained with technical and professional skills at intermediate or mediate levels²

The rate of underemployment in rural and urban areas is subject to significant variation. As mentioned in the section 2.1 above, Labour and Employment Survey in 2008 by MPI and GSO show that rate of employed workers in rural areas is higher (accounting for 98.08 percent of the national workforce) than the rate of employed workers in urban areas (accounting for 95 percent of the national workforce). As synthesizing the socio-economic situation of the country by GSO in September 2010, rate of underemployed workers at working age was 4.31 percent, in which, the rate in urban areas was 1.95 percent; rural areas, 5.24 percent. The rate of underemployed female workers is higher than the rate of underemployed male ones.³

Main causes for the underemployment situation in rural areas is rapid urbanization which leads to the situation that farmers have no land for agriculture, so they are underemployed or unemployed.

Department of Collectives – Rural development stated an unsatisfactory number that up to 67 percent of the workers who lose agricultural lands still do agricultural work to earn a living whilst the other 20 percent are underemployed or do unstable jobs. Only 13 percent can find new jobs.⁴

Rural women have more difficulties in changing jobs. A study on employment shift in rural areas illustrates that men change their jobs twice as often as women do (31.6 compared to 13.2 percent). A women's chance of changing employment is around 22 percent, whereas for a man it is around 52 percent.

Even in agricultural production, rural female workers have not been trained with updated science, technology in agriculture while this information is provided to men. However, rural women are more likely to undertake agricultural work than men. The issue of land loss and migration has led to the situation of "feminizing agriculture and aging rural areas". Young rural female adults migrate to urban areas to work in the non-formal economic sector such as domestic work or to work in industrial zones. Meanwhile, men also tend to work in urban areas, in plantations, industrial zones and factories. Spouses and grandparents are thus burdened with responsibilities for taking care of families and agricultural production in rural areas. The situation indicates that it is essential to give priority to vocational training and technical transfer relating to agricultural production to women because men are more flexible in grasping employment opportunities and thus are likely to work away from home.⁵

Industrialization and modernization should be accompanied with industrializing and modernizing agricultural production to increase productivity of plants and tended animals to minimize labour invested in agricultural field. Therefore, rural women should be trained with agricultural extension services, etc. to apply new technology in agricultural and non-agricultural production in rural areas. This is a huge challenge for rural female farmers because their educational level is very low. Only 8.02 percent of rural women have completed upper secondary education; 1.12 percent of them are technical workers; 1.78 percent have finished technical secondary education;

1. Communist journal on Oct 20th 2010, policy for rural women in industrialization, Ass.prof. Dr. Hoang Ba Thinh, University of Social Science and Humanities.
2. Website VnEconomy Vietnam economy times on March 15th 2011 at <http://vneconomy.vn/65528P5C11/nhieu-nong-dan-bi-thu-hoi-dat-that-nghiep.htm>
3. <http://daynghenongdan.vn> – on March 15th 2011
4. <http://daynghenongdan.vn> – on March 15th 2011
5. Communist journal on Oct 20th 2010, policy for rural women in industrialization, Ass.prof. Dr. Hoang Ba Thinh, University of Social Science and Humanities

1.39 percent have graduated from university and college; only 0.02 percent have completed post-graduate level.¹

CAUSES

Impacts of gender stereotypes have limited rural women's opportunities, especially in mountainous and remote areas. It is also one of the important causes of their few opportunities to access education, training courses, employment, income generation and improve their economic status. Particular in this current context, women have more difficulty in accessing employment than men.

"Male chauvinist" thinking has created favourable conditions for men to have higher status in family and social life in rural areas when women are the people who do all the domestic work and take care of children. Moreover, a part of rural women are passive in grasping opportunities to improve their qualification for better jobs and income.

The Government have approved and implemented preferential training policies to support women in general and rural women in particular. However, their implementation is ineffective when they are implemented without regarding their suitability and necessity to different target groups and regions. Vocational training for people, including women in the areas where agricultural lands are taken back for industrial development is not timely. Many people spend all their compensations (from revoked land) before vocational training courses are deployed. Thus, they find it difficult to gain employment.

2.3 Access to and control over resources: Vietnamese rural women have more difficulties in accessing to credit for their economic development activities

2.3.1 Access to credit for production

Rural women are targeted by different preferential programmes for production such as the programmes on supporting women to pursue vocational training and find employment in 2010-2015 period" (for short, Master Plan 295); the Master plan on vocational training for rural workers by 2020 (for short, Master Plan 1956), etc. In addition to being provided with vocational training services, rural women can participate in programmes on credits for production from banks, like the Social Policy Bank of Vietnam, with preferential interest (for the households are targeted by the bank.

The Government also approves a legal framework to guide the implementation for these programmes. In which, the Decree No 41/2010/ND-CP replacing the Decision No 67/1999/QĐ-TTg is considered an important advance in the policies for agriculture and rural areas. Decree No 41 has expanded and clearly clarified the scope and target groups of all forms of credit organizations and 08 fields in giving loans to rural agriculture; increasing the level of loans without mortgaged assets to clients; clearly defining the issues of dealing with risks, debt structure and new loans.....In order to implement the Decision No 67/1999/QĐ-TTg and the Decree No 41/2010/ND-CP, the Social Policy Bank and the Agricultural and Rural Development Bank have deployed policies on assisting farmers, the poor and especially women.

Rural women's level of access to credit has improved markedly. The entrustment of lending to Women's Unions has been a good way to support rural women whereby it has enabled them to easily access and use loans from banks more effectively. Via signing the Joint Resolution with VWU, the Agriculture and Rural Development Bank (AGRIBANK) and Social Policy Bank have formed loan-making groups in localities to provide credit for rural women to develop their household economy. By June 30th 2010, AGRIBANK had made loans to 255,020 female clients amounting to 3,903.679 billion Vietnamese dong. Credits entrusted to Women's Union by Social Policy Bank by June 30th 2010 were 34,355 billion Vietnamese dong.² Though at the point that the total debt entrusted to Women's Unions was approximately 10.000 billion dong with 1.7 million of women getting loans, according to VWU, recently, the debts entrusted to Women's Unions has gradually reduced to 3,600 billion dong. As evaluated by VWU, the reason was not that women's demand for loans had reduced but that many women did not want to borrow due to high market interest rates, complex procedures, and lack of land-tenure rights which means that they have no assets as collateral for the loans.

The fact that women were not presented in the land use right certificates (Red Certificates) prior to 2003 has

1. Ass.prof. Dr. Hoang Ba Thinh, 2010

2. Source: Agriculture and Rural Development Bank and Social Policy Bank

caused constraints to women in accessing credit, so women have had difficulties in developing their production activities.

Box 1. Lending rural women to run economic activities by Women's Union

Tan Minh is one of the eight communes of Soc Son district, Hanoi with a population of 13,540 inhabitants in 2,936 households. In which, 6,425 inhabitants are men and 7,115 are women. Tan Minh is one the poor communes of Soc Son when people's economic activities mainly depend on agriculture. One of the reasons for their poor situation which is identified by the local authorities is the lack of production capital in addition to low knowledge of farming and doing business; families with many children and sick people without labour capacity.

Local Women's Union launched the activity of providing credits with mortgage to women in the commune in combination with organizing training courses on making plans for using and managing the credit. Annually, Social Policy Bank and AGRIBANK provide about 200 million dong (each bank provides 100 million) to the commune with different levels of interest of 0.3%; 0.32%; 0.65%; 0.9% (Social Policy Bank) and 1.0-1.1% (AGRIBANK). Beneficiaries from Banks are prioritized for different programmes on employment assistance, clean water, etc. As a result, many women benefiting from these loans have improved their incomes. However, there are about 2-3 lending turns for about 20-30 women provided with loans, which is too small in comparison with the real demands. Moreover, many women with difficult family backgrounds as their husbands are gamblers or their intellectual level is too low, etc..., which prevents them from accessing loans because they are unable to return their debts. For only farming without supplementary incomes, women only use credit for breeding livestock (cows and pigs) and poultry (chickens and ducks). However, as commented by these women, the credit cycle is only 12 months, which cannot help women to maximize their productivity, especially when rearing cows to sell.

Case study conducted by the writing group in November 2010, Tan Minh, Soc Son, Hanoi

2.3.2 Access to lands

Law on Land-use Rights 2003 stipulated that the land-use rights certificates must consist of both the wife's and husband's names, which is considered a progress in ensuring gender equality to both men and women in access to and control over land, a huge asset for households. However, the Law has not regulated the measures for obligations of households in getting new land use right certificates which are signed by both husband and wife. Currently, most of the certificates are still signed with husband's name. Therefore, women still face difficulties in accessing land if a certificate is needed.

Legal right to land use right certificate not only enable women to more easily access credit loans but also safeguard their rights to land in divorce and inheritance. For rural women, land is a tool to ensure their social security as well as to escape from poverty. Studies also indicate that, women in general and rural women in particular have fewer opportunities to access credit than men, due to lack of land rights. Therefore, it is necessary to consider the gap between men and women in access and use credit loans from banks and other credit organizations to develop particular policies for rural men and women.¹

According to the national report on MDGs implementation 2010, the proportion of land-used right certificates with both husband's and wife's names were different for two types of lands in 2008. The highest proportion belonged to the aquaculture lands with 91.1 percent whilst the lowest proportion was related to agricultural land with only 10.9 percent². Therefore, getting loans for family production and businesses is mainly decided by the husband. In some families, women want to do business or production in another way but they cannot because only their husbands are the legal representative for the land-used right certificates³.

CAUSES

That no regulation exists to ensure that both husband and wife re-register their land use right certificates with both their names has caused constraints to women in obtaining bank loans as well

1. Hoang Ba Thinh, 2010

2. Draft Report on the Implementation of MDG – "Vietnam on the way of achieving MDGs, June 2010

3. In-depth interview and focus group discussion, ActionAid Vietnam, 2008

as being protected with the right to land if women get divorce or inherit. It is needed to find solutions to this matter to execute gender equality to women in asserting their rights to land ownership.

Regulations on lending by banks are strict; however, in some cases, they can consider other types of documents. In many programmes on micro financing, AGRIBANK provide loans for women without mortgage via credit groups guaranteed by Women's Union.

3. Recommendations

- 3.1 State policies on job creation for rural women should be specified taking in to account their specific needs and living conditions in order to ensure that they can perform their roles and functions in all aspects of their family life. Diversifying appropriate forms of vocational training for rural women such as providing guidance on farming techniques or teaching traditional trades to women;*
- 3.2 Vocational training programmes for rural women should be appropriate to their needs and demands of the labour market;*
- 3.3 Activities in agriculture, forestry and aquaculture extension should be paid special attention to create conditions for rural women, especially vulnerable women groups to access updated knowledge, ways of production, technology transfer to maximize their productivity and efficiency for a better life.*
- 3.4 Strengthening inspection and monitoring for the implementation of policies related to gender equality, ensuring these policies to be deployed to targeted beneficiaries;*
- 3.5 Making consultations with gender experts and civil society organizations in developing and refining laws, policies; drafting socio-economic programmes, plans as well as those relating to gender equality;*
- 3.6 The State needs to take measures to ensure that the land use rights certificates that issued to people by 2003 should be signed with both husband's and wife's names;*
- 3.7 Relevant agencies/banks need to conduct more studies to expand micro financing model to support poor households and vulnerable groups in access to credits for economic development to reduce poverty*

TOPIC: RIGHT TO EQUALITY, NON-DISCRIMINATION AGAINST GIRL CHILDREN

Executive Summary

Girl children are a specific group, who are at the early state and at a vulnerable point in their life cycle. Complying with the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), Law on Child Care, Education and Protection clarifies ten (10) fundamental rights for children; at the same time, the Law also reaffirmed non-discrimination principles and protection of children's best interests. National Action Programme for Vietnamese Children in 2001-2010 period has been implemented successfully, which has created more favourable conditions to better meet children's fundamental rights and demands. Vietnam has also many important achievements on caring and protecting children, especially, girl children. Typically, gender gaps in general education have been eliminated. Though girl children's living and development conditions have improved greatly, they are still more disadvantaged than boys of the same age.

Main challenges are: (i) discrimination against girl children happen from when they are fetuses, which has led to imbalance in the sex ratio; (ii) adolescents are becoming pregnant and getting abortions; (iii) girl children are the victims of violence, sexual abuse and trafficking; (iv) girl children are involved in economic activities early; (v) rate of drop-out and illiterate girl children is higher than boys. Main causes are poverty; "son-preference"; unsafe and unfriendly living surroundings for children when education or life skills for girl children are not paid the right attention and state management is limited.

NGOs working on child issues recommend that the government should evaluate the situation *vis a vis* gender equality and girl children to be the basis for mainstreaming gender issues in formulating and implementing laws and policies; strengthening communication and propaganda on gender equality and to counter discrimination against girl children; reinforcing the state management body on child care and protection at all levels and establishing a working division specializing in girl children; enhancing gender equality and accountability of the child care and protection system, creating favourable conditions for girl children; by different measures, attracting girl children's participation in training courses and equipping them with appropriate self-defence skills; and, creating a mechanism for NGOs to participate in formulating, implementing, monitoring, evaluating and criticizing laws and policies for children.

1. Achievements and challenges in enforcing the right to equality and non-discrimination against girl children

1.1 Laws, policies and achievements

Caring for the comprehensive development of children, especially girl children, is a long-standing tradition of Vietnamese people and also an important part of the country's development strategy. Law on Child Care, Education and Protection stipulates, "a child means every human being below the age of sixteen". According to the data from General Statistics Office (GSO), the total number of children is 23.6 million (accounting for 27.5 percent of the total population), of which, girl children account for 12.8 percent and boys make up 14.7 percent.

Vietnam is one of the first signatories to the Convention on the Rights of the Child. In addition to CRC and CEDAW, Vietnam has endorsed the La Hay Convention No 33 on child care and cooperation in the field of internationally adopted children (September 3rd 1986); Convention No 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour (June 17th 1999); Convention No 138 on Minimum Age (1973); Optional Protocol to CRC on the sale of children, child prostitution and child pornography (May 25th 2000); and the Declaration on an Appropriate World for Children (2002).

Vietnam has adopted the right to equality and non-discrimination into its normative legal documents such as Law on Gender Equality, Law on Child Care, Education and Protection. Ten fundamental rights have been identified to reaffirm the principle of non-discrimination and best interests of children. The National Action Programme for Vietnamese Children 2001-2010 was developed and implemented successfully by the Government. It has created conditions to better meet children's fundamental rights and needs. Despite economic difficulties and

a limited budget, the State has tried its best to invest the largest permitted budget for social development and children. Many preferential policies have been executed for both girl and boy children in the past. As a result, Vietnam has obtained important achievements on caring and protecting children: the infant mortality rate for less than one year has reduced from 36.7‰ in 1999 to 16‰ in 2009). The rate of child mortality below five (05) years declined to 25.5‰ (2009) from 42‰ (2001); rate of malnourished children at low weight sharply decreased to 25.5‰ (2005) and 18.9‰ (2009) from 31.9‰ (2001); full vaccination coverage of children below one (1) year always stands at 90 percent; achievement on eliminating children's poliomyelitis since 2002 has been sustained; maintaining vaccine injection for pregnant mothers to eliminate infant tetanus; rate of cared children with difficult family backgrounds increased to 75 percent in 2010 from 40 percent in 2001; 100 percent of the children with difficult family backgrounds, poor children, ethnic minority children get free legal aid if their families have demands; more than 42 thousand children are working in hazardous, dangerous and toxic conditions; more than 60 thousand street children and more than 10 thousand who are sexually abused and subjected to violence have been timely uncovered and supported¹. Vietnam has eradicated gender gaps in general education. Rate of schoolgirls at general level is has been increasing over the past 05 years. Primary universal education and illiteracy elimination as national standards have been completed since 2000 and those achievements are still maintained. In 2009, 97 percent of children were going to schools. Currently, Vietnam is universalizing lower secondary education nationwide.

Table 7: Percentage of girls at different educational levels

School year → Educational level	04 - 05	05 - 06	06 - 07	07 - 08	08 - 09
Primary	47.7	48.2	48.5	46.2	47.9
Lower secondary	47.9	48.1	48.3	48.8	48.5
Higher secondary	48.9	49.4	49.3	51.7	52.6
College	51.0	53.1	53.8	50.8	51.2
University	47.0	47.2	48.4	48.4	48.5

In general, childcare, education and protection have improved in comparison with the previous periods. Learning opportunities are open to rural, ethnic minority girl children in mountainous and remote areas owing to the policies of tuition fee exemption, scholarships and other support measures. In the 4 years from 2006 to 2009, there were 8 million poor schoolboys and schoolgirls who were exempted from paying tuition fees and 2.8 million poor ethnic minority children were supported with textbooks. Girl children's health has improved in comparison to the previous generation, which is illustrated in their height and weight indexes. Women and children are always prioritized target groups in the policies on health examination, treatment and support, especially healthcare for pregnant women and reproductive health. Many families are concerned about bringing up both daughters and sons without sex discrimination in schooling, healthcare, entertainment, etc. At primary and lower secondary levels, schoolgirls seem to be more active than schoolboys to participate in collective activities, Teenagers' Teams as well as social work. Typically in National Children's Forum, girl children account for 70 to 90 percent of the total candidates.

1.1. Main challenges

Though girl children's living and development conditions have improved, they are still more disadvantaged than boys of the same age. As quoted in Vietnam's folklore "girls are other people's daughters", which means when girls grow up they will get married and become members of other families, so they will live in and serve their husbands' families. Some families attach more importance to their sons' study and career guidance than their daughters. The gender equality survey by Vietnam Social Science Institute in 2005-2006 showed that girl children in families with difficult economic backgrounds had fewer opportunities and care by parents than boy children. Active participation in social activities declines as girls grow up. At higher secondary level and up, the participation of boys in social activities is higher than of schoolgirls. Below are some main challenges for ensuring girl children fully enjoy equal rights and legal interests, which are protected by domestic, and international laws and policies.

1. MoLISA, 2009

1.1.1. Discrimination against girl children happen while they are still in the womb through the deliberate destruction of female fetuses, which leads to an imbalance in the sex ratio

Vietnam is one country among a few which has an adverse sex ratio at birth. The sex ratio at birth is the number of boys per 100 girls, which is increasing at an extraordinarily high pace. Results from the National Population Survey over the past 10 years show that sex ratio when children are born increased from 107 (1999) to 110.5 (in 2009). 35/63 cities and provinces nationwide have a at birth sex ratio of 110. There are 9 provinces having the ratio of more than 115:100. According to the Committee on Social Affairs under the National Assembly, at present the sex ratio at birth is 112 boys per 100 girls. As estimated by UNFPA, by 2020, the sex ratio at birth will begin to have a negative impact on adult sex ratio, whereby the percentage of redundant men can reach 12 by 2040 and over 20 in 2050. The difference between the numbers of men and women will continue to increase up to 2.3 to 4.3 million by 2050.

The projected sex ratio imbalance will have consequences such as difficulty in finding wives because the number of men is going to be higher than the number of women. This will lead to conflicts in marriage when the men in this area will prevent the men in other areas from getting married with the women in their area. There will occur the situation of late marriage, even inability of getting married or difficulty in finding a spouse. Therefore, the possibility of sexual intercourse outside marriage will increase which in turn will increase the risk of sexually transmitted diseases and HIV/AIDS. Human trafficking crimes will increase with more women and girl children being trafficked. Prostitution will also increase. Women will be under pressure to produce more children, abort female fetuses risking their own health. Women can be maltreated or deserted if they do not give birth to sons.

1.1.2. Adolescents are pregnant, which is consequence of bad reproductive health education

In Vietnam, healthcare for children has obtained big achievements. However, healthcare and improvement for girl children have encountered many challenges. Teenagers, adolescents and adults aged 10 to 24 years account for 32 percent of Vietnam's population, equivalent to 27 million people, who are facing many risks of reproductive health such as unsafe sexual intercourse, unwanted pregnancies, unsafe abortions, sexually transmitted diseases, HIV/AIDS transmission, etc..

The General Report by the Ministry of Health indicated that the abortion rate per child born has declined to 0.28 from 0.36 over the past 5 years. In the first 9 months of 2010, there were 279.799 abortions per 998.615 births nationwide. The percentage of accidents due to abortion has gradually come down to 0.45 percent in 2009. However, this data does not fully reflect the real situation because in reality the figures are likely to be higher. Many abortions are performed in private clinics and they are not reported here. According to Dr. Nguyen Thi Hoai Duc, Director of Reproductive and Family Health (RaFH), Vietnam ranked the first in Asia and the third in the world for its high abortion rate. On average, there are about 20 abortions per day, 20 to 30 percent of them are of adolescents. Nationwide, there are 5% of female adolescents below 18 and 15% below 20 years old giving birth. The inception workshop on the reproductive health education project by the Ministry of Education and Training (which was implemented in 28 secondary schools nationwide from October 2008 to September 2009) announced that each year in Vietnam there are 1.2 million abortions, in which up to 20 percent of them are students at secondary schools.

As reported by the Centre for Family Planning and National Hospital of Obstetrics and Gynecology, monthly, the Centre conducts nearly 500 abortions below 12 weeks gestation, about 30 cases during 13 to 22 weeks gestation. Pregnant women aged below 24 years account for 20 to 25 percent and about 30 percent are pregnant for the first time. In the first six months of 2010, the Centre carried out abortions for 2.740 women with short gestation fetuses and 241 women with longer gestation. It was noticed that in the large fetuses cases, up to 21 were adolescents. In 2009, the Centre carried out abortions for 4.920 cases, of which those aged below 24 accounted for 20-25 percent and about 30 percent of them had not given birth to any child.

The above data show an alarming trend of early unsafe pre-marital sexual intercourse with pregnancies among teenagers and adolescent increasing. 1.16 percent of them have got a sexually transmitted disease with 1.16 percent getting gonorrhoea and 1.5 percent getting venereal diseases. Along with negative impact on health, early sexual intercourse and unwanted pregnancies may causes risks such as metrorrhagia, womb and vaginal injuries, accidents due to anesthetic medicines; left-placenta, womb infection and inflammation, which may leads to permanent infertility. Moreover, mental trauma (depression) may also occur and is one reason why girls drop-out from school. Some of them may become involved in sex work and drug use. Currently, Hanoi Hospital of Obstetrics and Gynecology received a case of a female student aged 15 years old losing consciousness due

to inflammation of her womb after having had an abortion in a private clinic without good techniques and skill. Many girl children have to pay the expensive price of permanently losing their ability to bear children.

1.1.3 The situation of violated, sexually abused and trafficked girl children tend to be more complicated with an increase in both number and severity of the crime

Adopted from the data of the Department of Child Care and Protection in 2008-2009, there were 2,260 cases of child sexual abuse and 4,138 of child violence in 63 cities and provinces. As reported by the inspectors of Ministry of Labour, Invalids and Social Affairs in the 3 years during 2005-2007, 678 criminal cases were prosecuted because they trafficked children and caused injury, and sexual abuse to 762 children in Hanoi and Ho Chi Minh City. The number of sexually abused children appears to be increasing in some big cities where cases of raped children account for up to 65.9 percent. Ministry of Public Security reckoned that in 10 provinces from 2004 to 2006, 739 sexual abuse cases occurred to 765 girl children by 804 crimes. It may be noted that up to 30 percent of them are aged below 11 with some below 6. Child sexual abuse crimes are perpetrated by other children and adults; fathers account for 2.25 percent; relatives and guardians, 7.63 percent. This is a serious violation of children's virtue and human rights, threatening social order and security, causing serious long term consequences to children.

Number of children trafficked or kidnapped for commercial purposes appears to have increased. According to the report by Labour, Invalids and Social Affairs branch, there were 208 children who were victims of human trafficking in 2008; however, this number went up to 628 in 2009. In Northern border provinces, criminals kidnap boy children to sell in the Southern border provinces. Often they cheat, allude or use force to collect girl children aged 14 to 15 years old to sell to brothels. Domestically, the situation of child trafficking is complicated and on the increase. On early the seventh of March 2010, the police of Hanoi razed an inter-provincial ring of women and children trafficking. Nine victims were rescued, in which, 7 were aged below 16 and one girl below 13.

1.1.4. Girl children are involved in economic activities earlier than boys

The Gender Survey in 2005 showed that in 36.1 percent of the families daughters aged below 18 are involved in income generating activities compared to 34.9 percent of the families whose sons of the same age group are involved in economic activities. Girl children in both urban and rural areas are often involved in economic activities earlier than boys (Institute of Social Science of Vietnam, 2008). In 2008, Ministry of Labour, Invalids and Social Affairs collected data about children from 38/63 provinces/cities and found that there were 26,027 children, half of who were girls, had to be involved in hazardous, dangerous and toxic work. Survey results from 8 provinces and cities of Vietnam by the Centre for Female Labour and Gender (RCFLG), Institute of Labour Science and Social Affairs (ILSSA) showed that child labour existed among all the children aged from 5 to 17 years old and girl child labour accounted for 56.3 percent (of 300 surveyed children). At the age below 10, children mainly work in their families. When they are older, they often work for others or are self-employed. Over 90 percent of child labour are working in non-formal sector with the highest percent in agriculture and trade-service sectors; in food processing units, garments and textiles factories, fine arts and crafts factories, traditional trade villages, etc. Work done by children is often simple without requiring complex working skills but meticulousness and cleverness. MoLISA's investigators uncovered 2,110 child labourers in 232 enterprises in 04 years (2006-2009). Only in 2009, an investigation made in 10 provinces uncovered 35/53 enterprises which hired 496 children to work (accounting for 1.55 percent of the total employees) of which, more than 50 percent were female adolescents.

Other investigations also exposed many violations of international and domestic laws and policies with regard to child labour, especially of girls. Main violation was hiring girl children to do the work outside the list of prohibited occupations and trade stipulated by the State to the labour below 15 years old such as seamstress, seafood processing workers without registration to competence agencies or signed documents by parents or records of working children, etc... Moreover, children usually work over stipulated time (7 hours per day) without signing labour contracts or having compulsory social insurance. They are also not trained in labour safety and hygiene, equipped with personal safety working clothes or undergo health examinations. Especially, they work in unsafe or even bad conditions such as narrow spaces, little light, noises, polluted air, medical instances, etc...

Another fact is that many girl children in rural areas drop out schools early. Many girl children aged 9 to 10 years old have to leave their families to work in urban areas as domestic workers, waitresses in restaurants or shoopkeppers, etc... In addition to working pressures and loneliness when living far from families, children have to face up with high risks of mental and physical maltreatment, even sexual abuses. Many cases of abused

children have been reported in mass media. In the case of Ms. Nguyen Thi Binh, 13 years old, working in Hanoi was seriously battered over years by a couple selling *Pho* (noodle with beef) until she was discovered.

1.1.5 Higher rate of drop-out schoolgirls than schoolboys

Article 10 of Education Law of Vietnam stipulates, “every citizen, regardless of...male or female....are equal in access to education opportunities. The State ensures social justice in education for all”. However, situation of illiterate and drop-out children, especially girls, is still a big challenge.

Vietnam’s Report on Achievement of Millennium Development Goals 2010 showed that the rate of primary enrollment in 2008-2009 reached 88.5 percent when at lower secondary level, the rate was 77.6 percent and number of girls dropping out was greater than boys. Adopted from the data by Ministry of Education and Training, number of illiterate girl children aged 10 years old was 13.69 percent; 11-14 years old, 7.98 percent; and 15-17 years old, 9.08 percent. Especially, ethnic minority girl children in mountainous and remote areas have more barriers and difficulties in access to education. Rate of schoolgirls going to schools in mountainous areas is very low with 10-15 percent in some areas (Institute of Educational Science, 2010). Only 20 percent of H’Mong girl children go to school.

Another noticeable issue is gender stereotypes reflected in textbooks at almost all levels of education due to Vietnam’s traditional concepts about women’s and men’s social roles. For instance, in the eighth lesson in social and natural textbook for students in grade 2, there are images illustrating the work of cooking, kitchen cleaning, washing dishes and clothes done by girl children while boy children play or do other things. In the Vietnamese Language Textbook for grade 1, the part 2 on “parents’ professions”, there are images about the mother who plants rice or teaches children while the father works as building worker, doctor. Civics textbooks for the grades at lower secondary level consist many contents for educating morality and life styles for students; however, they are gendered-insensitive and especially there is no separate or clear topic about gender equality between women and men, respecting and helping women or girl children (Institute of Social Science, 2007). The above situation and lack of gender equality content in education programmes for children have deeply affected children’s awareness and behaviour; at the same time, it has resulted in the perpetuation of gender stereotypes and discrimination against girl children and women, which has existed in the society for a long time.

In addition, gender stereotypes like “girls do not need higher education” still exists. Girl children often suffer from family pressures to give up school to work at home. This is due to families’ low awareness of educational interests because they think that girl children drop out of school to earn a living while they do not have further targets for improving living standards for girl children. If the family needs any member to take care of other members or reduce tuition fees, etc., girl children are always their choice even if they are studying in a lower educational level or are better than boy children. Other backward practices still exist among ethnic minority groups and negatively impact on education such as the custom of forcing girl children to get married early. Ka Tor Thi Nhep, a teacher in Tran Phu secondary school in Phuoc Chinh commune, Phuoc Dai district, and Ninh Thuan province said that, “girl children give up schools to get married when they are studying in the eighth grade”.

2. Causes of challenges

1.1 Poverty and “son-preference” thinking have strongly affected the implementation of the right to equality and non-discrimination for girl children

Vietnam still has challenges and difficulties in the process of running a market economy and deeper integration into international economic system and globalization such as: living standards differences among regions and areas as well as among population groups in society; changes in family structure and functions; more mental pressure on family and social life, which lead to people’s ignorance of children, especially girls. This has a negative impact on them and triggers their fear of child abuse, trafficking or high risks of being abandoned, becoming street children, or having to earn a living or live far from families.

2.2 Unsafe and unfriendly living environment for children

That the phenomenon of value and moral standard get worse has led to a rise in social issues such as uncontrollable widespread violence and depraved culture via different channels, especially on the Internet. Loosen coordination between families; schools and society in caring, educating and protecting children and

adults' ignorance have created a lack of safety for children in society and even in their families. Preventing, uncovering, intervening and supporting victims of violence, sexual abuse, human trafficking has not been intervened timely, which have caused regrettable consequences to children.

2.3 Educating life skills for girl children has not been paid right attention

Teenagers and adolescents are in their period of mental changes, having high demands of contact with the other sex. Their experience in dealing with their sexual demand is limited with low awareness of how to prevent pregnancies or sexually transmitted diseases. Wrong thinking or avoid the lessons about sex education or lack of reproductive health knowledge are still popular among teenagers and adolescents. Moreover, adolescents and teenagers are negatively affected by the impact from unofficial information on the Internet. There is a lack of vital services for preventing pregnancies and unsafe abortions, especially in remote and mountainous areas, which have not created friendliness to adolescents.

2.4 Limited State management has not met children's and girl children's comprehensive development

System of child care and protection is reinforced and refined slowly; coordination among agencies, organization is ineffective due to their overload and accountability functions. are limited qualification and professional skills; structure of service system for children is loose, inadequate and ununified; sources invested to children have not been ensured; information about children, especially information about girl children have not been updated comprehensively; lack of a programme on executing girl children's rights to equality and non-discrimination at national level;...

3. Recommendations

From the realities of NGO activities, via studies and opinions from people, the following recommendations are made to the State:

- 3.1 Review and evaluate the situation of gender equality and girl children to be the basis for mainstreaming gender issue in formulation and implementation of the National Action Programme for Children in 2011-2020 period; clearly identify measures to promote gender equality, protection and development of girl children in all aspects; investing enough budget and assigning clear accountability for the organizations to perform their tasks on monitoring and evaluating impacts and results.***
- 3.2 Promoting communication, education, mobilization of people, boys and girls, teachers and grassroots cadres about the right to equality and non-discrimination against girl children and protect them against the risk of being violated, sexually abused, battered, etc. in any forms;***
- 3.3 Further strengthening state management bodies on child care and protection, especially at grassroots level; setting up a working division on girl children; developing an inter-sectoral mechanism; reinforcing social workers and networks for protecting and caring for children in the community;***
- 3.4 Improve gender equality measures and accountability of the child protection service system, creating favourable conditions for easy access by girl children, including protection services in and outside families, emergency support services for child victims of violence, trafficking, sexual abuses, etc ...***
- 3.5 Promote investigation, monitoring the implementation of laws and policies related to children, paying attention to girl children; strictly punish acts against children in terms of discrimination and human rights, legitimate interests. This can be the basis for further mainstreaming gender equality issue, further refining legislations related to children and creating a friendly judicial***

system for adolescents.

3.6 Adopt various measures to ensure rights and attract girl children's participation into social work in and outside schools; mobilize parents to respect and treat their daughters and sons equally. Equip girl children with knowledge and appropriate skills of self-protection.

3.7 The State applies measures to encourage, create favourable conditions for social organizations, NGOs working and participating in caring, protecting, educating children, especially girls. Promoting the implementation of the policy on socializing children's work via authorizing NGOs with childcare services, programmes and study projects. Create a mechanism for NGOs to develop, implement, monitor, evaluate and criticize laws and policies for children.

TOPIC: GENDER-BASED VIOLENCE IN FAMILY AND WOMEN AND CHILDREN TRAFFICKING

Executive summary

Vietnam has made great efforts in combating against domestic violence over the past few years. The ratification of Domestic Violence Prevention and Control Law (DVPCCL) has positively contributed to domestic violence prevention and control. However, currently, domestic violence situation is still occurring nationwide. Up to 58 percent of interviewed women said that they had experiences with domestic violence by their husbands or lovers in their life. The most prevalent violence form is physical. Victims of gender-based violence can get one or many forms of physical or mental violence during their life.

However, reporting of gender-based violence to the police as well as their, (the polices), intervention is still weak. People's and staff's awareness of domestic violence is still limited. The implementation of the DVPCCL in localities has not been effective because a lack of budget, people's knowledge of the law, victims' and people's cooperative mind in combating and prevention domestic violence.

Women and children trafficking can be considered as a separate form or a part of gender-based violence. Currently, trafficking of women in Vietnam exists in both illegal form (taking women to China to be wives or to work illegally) and legal form (dispatching women to Taiwan, Korea and Japan to be wives or to work).

In this section of the report, gender-based violence will be analyzed from the perspective of CEDAW and Vietnamese laws and policies. Vietnam's achievements and challenges in preventing and combating gender-based violence and women and children trafficking are highlighted, from which, following recommendations are made to the State.

The Government of Vietnam needs to focus on preventing and punishing human trafficking crimes as well as providing assistance to returning victims. It is essential to allocate a clear budget for the implementation of the Law on Domestic Violence Prevention and Control and related guidelines and decrees, circulars. Improving capacity of state gender equality management agency. Issuing policy to encourage men to work for gender equality and prevention of gender-based violence and women and children trafficking. Creating synergy in the actions of authorities, mass organizations, NGOs, families and community to combat gender-based violence and human trafficking. Encouraging studies, setting up models to support victims in community. Effective law enforcement mechanism, sanctions and monitoring should be applied in localities. Reinforcing communication about CEDAW and Vietnamese laws, policies to people, especially, those related to gender-based violence and human trafficking to people. Solving social issues in the community on the basis of community initiatives. Mainstreaming gender equality into laws and policies and execute gender equality in families and society.

1. Introduction

Gender-based violence can be defined as violence that occurs between people of two sexes (male and female) or of the same sex in families and society, its root cause is gender stereotyping. Gender-based violence has its origins in patriarchal thinking, occurring in Vietnam, mainly between husband and wife. It also consists of both direct and indirect forms, which may lead to the trafficking of women and children. According to a report in 2005, 95 percent of violence cases were caused by men against women; only 5 percent were caused by women against men and that is for self-defense (Radhika, 2005). There are many ways to classify gender-based violence forms. However, the most prevalent ways is that gender-based violence manifests in 4 forms: physical violence, labour violence, mental violence and sexual violence. Aborting female fetuses, killing or repudiating newborn girls, causing sexual violence to women and girls in families and in society are all forms of gender-based violence. Women and children trafficking can be considered a separate form or a part of gender-based violence. Human traffickers have cheated poor people, people with economic difficulties and forced them to work as prostitutes or wives for foreign husbands or adopted children or forced labour. Trafficking of women in Vietnam exists in both illegal form (taking women to China to be wives or to work illegally) and legal form (dispatching women to Taiwan, Korea and Japan to be wives or to work).

This section will analyze gender-based violence from the perspective of CEDAW and Vietnamese laws and

policies, highlighting achievements and challenges of Vietnam in combating and controlling gender-based violence and trafficking of women and children.

Ensuring equal rights for women and preventing gender-based violence, women and children trafficking in accordance with provisions of CEDAW and Vietnam's laws and policies

CEDAW's provisions

CEDAW's provisions under Article 2(e), Article 3, Article 5a, Article 6, 11, 16 and the two General Recommendations No 19 and 21)

General Recommendation No 19 in 1992 clarifies that gender-based violence inflicts physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.

General Recommendation No 21 focuses on equality in family and marriage relations. The recommendations stress on the importance of nationality in ensuring women to fully participate in political, economic, cultural and social activities.

Vietnamese laws and policies

Constitution of Vietnam, Article 63 "Male and female citizens have equal rights in terms of economic, social, cultural, social and family aspects; strictly prohibiting any behaviour which inflicts any discrimination against women or their dignity". Article 71 stipulates, "Citizens have imprescriptible rights to their bodies and are legally protected with their health, life, honour and dignity.... Strictly prohibiting any forms of tortures, dignity or honour offense against citizens" (Constitution 1992).

Articles 1, 4,10,11,12,13,14,15,16,17,19 of ***the Law on Marriage and Family (2000)*** inhibit early and forced marriage, acts against voluntary and progressive marriage... or any acts to maltreat or batter grandparents, parents, daughters, sons, brothers, sisters, granddaughters, grandsons and other members in a family.

The Article 10 of ***the Law on Gender Equality (2006)*** defines that "gender-based violence" is a prohibited act. Article 42 of the Law clarifies regulations on punishing gender-based violence acts.

The Article 1 of the ***Law on Domestic Violence Prevention and Control (2007)*** presents a definition of "domestic violence". The law clarifies 09 forms of domestic violence behaviour; measures taken to prevent domestic violence; measures taken to protect and support victims; responsibilities of individuals, families, agencies, organizations in preventing and controlling domestic violence. Article 42 stipulates punishment for domestic violence behaviours.

Criminal Code: Articles 93, 104, 110, 111, 112, 113, 114, 115, 116, 125, 147 (2000) stipulate crimes related to domestic violence; women and children trafficking; rape and other sexual abuse forms. Criminal Code also defines crimes against children and against pregnant women in a certain circumstance to increase criminal accountability. The Chapter V prescribes the crimes against family and marriage; Crime of Human Trafficking (Article 119); Articles 120, 254, 255, 256 stipulate crimes for prostitution purpose.

On July 14th 2004, the State issued the Decision No 130/CP to deploy the National Action Programme on prevention and control of trafficking of women and children (for short, programme 130/CP); Decision No 312/2005/QĐ-TTg officially approving 04 master plans of the National Action Programme on prevention and control of trafficking of women and children during 2004-2010; and Direction No 16/2007/CT-TTg on strengthening the implementation of the action programme on combating and preventing against women and children trafficking crimes..

In addition to the Decree No 55/2009/ND – CP of the Government dated July 10th 2009, the Decree No 110/2009/ND-CP of the Government dated December 10th 2009 stipulates administrative punishment for not implementing provisions on gender equality. Lastly, the Resolution of the National Assembly on Socio-Economic Development Plan for 2006-2010 period clarifies the mission of "taking actions to prevent and control domestic violence". The Prime Minister ratifies the Strategy for Vietnamese Families for 2005-2010 and 2011-2020 in which, the objective of strengthening domestic violence prevention and control as well as reducing the annual rate of domestic violence cases to 10-15 percent (Committee on Social Affairs of National Assembly, 2006). National Strategy for the Advancement of Women by 2010; National Action Programme for Children in 2011-2009, National Programme on women and children trafficking prevention and control in 2004-2010 period and some other legal documents. Vietnam also ratified the Law on Human Trafficking Prevention and Control in March 2011.

2. Challenges and advantage

2.1 Gender-based violence

In comparison with the period when the 5th and 6th Periodic Report to the CEDAW Committee was written (2007), Vietnam has achieved basic progress in preventing and controlling domestic violence. Right after the Law on Domestic Violence Prevention and control was enacted, though decree guidelines and circulars for the implementation of the law are yet to be completed and approved, many state organizations, agencies and NGOs have taken actions and conducted studies to prevent and control domestic violence nationwide. Law enforcement and popular law communication via mass media have helped people understand the law. Many men have hit their wives and children less frequently. However, recent studies have indicated that:

2.1.1 Gender-based violence in families is complicatedly occur

Domestic violence still occurs quite frequently in the sites where studies have been conducted. Currently, there are dozen of studies and programmes/projects on preventing gender-based violence and women and children trafficking conducted by United Nations, state agencies and organizations, international and local NGOs, mass organizations in Vietnam. For instance, the project on supporting victims of domestic violence and human trafficking entitled "Safe House" (Shelter) by Centre for Women and Development (CWD) in Hanoi; projects conducted by ActionAid Vietnam in Nam Dinh, by CIDSE and NAV in Thua Thien Hue, by Spanish Agency for Cooperation and Development (PyD) in some localities, by Research Centre for Gender and Development in Thai Binh, etc. In this report, only two major studies on domestic violence are mentioned:

The study on "number of reports made to the police by victims of domestic violence and interventions by the police and legal officials to prevent domestic violence in Vietnam" (2009-2010) was conducted by the Centre for Gender and Development (College of Social Science and Humanities), Centre for Women and Development (Vietnam Women's Union) and General Statistics Office with financial and technical support from United Nations Office on Drugs and Crime (UNODC), Ministry of Public Security and European Institute for Crime Prevention and Control (HEUNI). The studies were conducted in 09 provinces in the North, the South and the Central Highland of Vietnam, which represent for lowland, midland and highland or urban, rural and coastal areas (Hanoi, Phu Tho, Thai Nguyen, Da Nang, Gia Lai, Ninh Thuan, Ho Chi Minh City, An Giang, Can Tho) with survey samples of 900 questionnaires with 900 victims; in-depth interviews with 15 policemen, 15 legal officials, focus group discussions with 50 victims). The studies have drawn an overall picture of legal aid services for victims of domestic violence. The key findings are:

2.1.2 Forms of violence and consequences

There are the survivors suffering from a form of violence; however, there are the victims who suffer from two, three or four types of violence. A common form of violence is physical such as punching or kicking, etc. (90 percent of respondents). Other forms of sexual violence is forced intercourse, 36 percent; economic exploitation, 32 percent; harming or threatening to harm family members or children, 33 percent. However, psychological and sexual violence forms were not recognized much by respondents. For instance, a husband living in Dong Anh district, Hanoi took a knife to cut his wife or another man not only batters but also puts his wife in a doghouse. In some localities, there are the men who take off their wives' clothes and force them to stand outdoor or take them to walk in the village.

83 percent of the victims are injured; the most popular injuries are extensive bruising chapped, scratched or burned skin; trauma in the head; Most of the victims (98 percent) are affected with mental impacts, such as depression, low-self esteem and fear.

Consequences: women's injuries (93 percent) in the Central are more popular than those in the North (77 percent) and the South (79 percent). Injuries in young women are more prevalent (86% at the age of 21-30) than among older women (71% at the age of 51-60); more prevalent among ethnic minority groups (94 percent) than Kinh group (82 percent).

2.1.3 Level of reporting domestic violence to the police

Only 43 percent of domestic violence cases were reported to the police; the rate of reported cases was the highest in the Central and the lowest in the North; more divorced women reported to the police than married ones; many victims said that domestic violence was their private family issue and it should be solved in the family

(65 percent); 30 percent said that they did not want anyone to know about their domestic violence situation and up to 30 percent of respondents thought that domestic violence was too small an issue and unimportant; feeling ashamed and fearful when subjected to domestic violence is a common cause for not reporting. Sexual violence is often less reported to the police than other forms.

Women share their domestic violence situation most with their families and friends. When reporting domestic violence, most victims go to the police offices (60 percent); 26 percent of them made phone calls to the police and only 3 percent made emergency calls to 113.

Most of the victims (65 percent) said that reporting to the police was the easiest way. Most of the respondents said that the police had created conditions for them to report their domestic violence situation. For instance, the police expressed their politeness to victims (76 percent) or gave them time to report their situation freely (75 percent) and expressed sympathy towards victims (72 percent). 37 percent of the victims reporting to the police had positive results while 54 percent of others evaluated that the police had not handled the domestic violence cases firmly. For instance, a domestic violence case in Can Tho province, the victim was threatened to be killed by her husband (her neck was cut); however, when the case was reported to the police, they only reconciled and criticized the husband with some words. Only 12 percent perpetrators were accused by the police.

2.1.4 Other conclusions

Main accountability of the judicial agency is communicating about laws and policies, especially new ones via traditional methods such as convening representatives from branches, agencies, organizations and mass organizations to the meetings to popularize new laws and policies. However, very few people can attend these meetings. Therefore, people have difficulty to keep up with changes and revisions in laws and policies. Many local people think that members of the mediator groups are legal consultants.

The police and judicial officials have tried their best to mediate in domestic violence cases but have paid little attention to the legal rights of victims. They have tried to influence victims attitudes to prevent domestic violence when the main target they need to intervene are perpetrators who directly cause domestic violence and are the root cause of the matter (Report, 2010).

The second study was carried out by GSO, Ministry of Health and CCIHP in 2009 - 2010. The study made a quantitative survey with 4,838 women aged 18-60 years old; 90 in-depth interviews and 12 focus group discussions. The study was conducted at two time points: 12 months before interviews (current violence situation) and any time in their life (violence during the life). When interviewing respondents with three types of physical, sexual and psychological violence caused by husbands, more than half of the women (58 percent) responded that they had experienced with at least one of the three types of violence in their lives. This rate over the past 12 months was 27 percent. About 32 percent of the married women said that they had experienced physical violence during their lives and over the past 12 months, 6 percent of them said that they experienced with that physical violence. Among the women who had pregnancies, about 5 percent of them said that they were subjected to violence during their pregnancy and the women who had never been to schools were the most violated ones. About one-fourth of the women having children below 15 years were subjected to violence by their husbands (results from the national survey, 2010).

2.1.5 Approval of Law on domestic violence prevention and control has created a certain change in combating against domestic violence; however, implementation of the law is still limited

Currently, Vietnam has taken great efforts in combating against domestic violence. In 63 provinces/cities, models of domestic violence prevention have been set up, in which, there are clubs for sustainable development for family and domestic violence prevention groups. In each province, MoCST have assisted all budget for developing and maintaining 05 clubs and 05 domestic violence prevention groups. These clubs have organized meetings for 525,000 households, held 1,200 communications for nearly 270,000 people. In three years (2008-2010), in 64 communes that were supported, ½ domestic violence cases have been reduced in comparison with the previous year.¹

The study on the implementation of DVPC in 04 provinces/cities (Yen Bai, Ha Nam, Hochiminh City, Da Nang) (500 quantitative questionnaires with 500 respondents, 18 focus groups, 58 in-depth interviews) was carried by GENCOMNET in 2010 showed that:

1. Reported by MoCST – adopted from the evaluation report on the implementation of Law on Domestic violence prevention in localities, GENCOMNET, 2010.

Up to 90 percent of the respondents said that they had heard about DVPCL; however, only 72 percent of them have right understanding of domestic violence behaviours. However, up to 92.6 percent of them have right awareness of physical violence form (battering, harming one's health and life on purpose) by a family member.

The results from the survey also illustrate that on average, about 37 percent of the respondents said that one in 09 forms of domestic violence behaviour (as stipulated in DVPCL) had been occurred to them. In which, 38 percent are men and 36 percent are women.

The implementation of DVPCL in localities is limited due to a lack of budget because localities have paid more attention to other socio-economic issues such as poverty reduction, economic development, etc. people's and commune staff's level of awareness, understanding of DVPCL is limited. Even leaders of the communes said that small fights were not listed in domestic violence. Only battering or serious injuries should be listed in domestic violence. The police's involvement in dealing with domestic violence case is still weak (only 30 percent), many people and domestic violence survivors still feel ashamed when working with staff in dealing with domestic violence cases as well as related problems.

2.2 Women and children trafficking

Trafficking of women and children is a form of gender-based violence. It is a complex phenomenon in Vietnam that appeared in mid-1990s. A common feature is that of shifting women from poor countries/territories to richer ones and it consists of both illegal human trafficking to legal marriages permitted by two nations. Over the past years, women and children trafficking have existed along three routes:

Domestic route, from rural to urban or industrial areas, women are usually forced to work as sex workers.

International route from Vietnam to Western European Countries, North Africa, Australia (women from Vietnam and other poor countries such as Philippines, Thailand, Indonesia, India, Cambodia, Laos, etc.. are shifted to rich countries/territories such as the United States of America, Australia, England, etc.) to work as sex workers or as cheap labour.

Asian route from Vietnam to other Asian countries such as Thailand, Japan, Korea, Singapore, China, Taiwan (by both legal and illegal ways). Women are forced to work as sex workers or forced labour or taken as wives.

2.2.1 Women and children trafficking is taking place complicatedly in border provinces

As estimated, tens of thousand women and children have been trafficked since 1998. However, the police have prosecuted only 1,434 cases, imprisoning 2,488 human traffickers of which 1,112 cases with 1,991 women traffickers and 322 cases with 497 child traffickers. Border provinces have the most trafficked women and children such as Lang Son with 2,515 people; Tay Ninh with 2,240 people.

Estimated by May 2010, the number of rescued women and children from foreign countries were 3,190 people of which, 65 percent of the victims returned by themselves, 25 percent were rescued and 15 percent returned through official routes. Encouraged by international human trafficking gangs, women and children trafficking in Vietnam has been growing rapidly and becoming part of an international criminal network. As a sending country, trafficker gangs in Vietnam move women and children to foreign countries. Rural, migrant, poor or difficult women are the people who are at high risk of being trafficked. Many of them have become the victims of swindles, rape, kidnapping or trafficking. There is the phenomenon of Taiwanese and Chinese men "purchasing" Vietnamese wives via official marriages but when they return to their countries, they re-sell their wives to others or batter them seriously injuring or even killing them.

2.2.2 Marriage to foreigners is a new women trafficking form

The situation that Vietnamese women are cheated to marry to foreigners is more and more prevalent in the Southern provinces. As estimated, during 1995-2007, there were about 180 thousand Vietnamese people getting married to foreigners from 60 countries/territories. Of them, women accounted for 80 percent (GSO, 2008). Only in Ho Chi Minh City, from 2007-2009, 38 cases with 179 traffickers were uncovered when they were organizing illegal marriages between Vietnamese women with men from Taiwan, Korea. These foreign men could choose wives from 1.772 Vietnamese women. According to the 130/CP Standing Office, up to 80 percent of human trafficked victims were adolescents. In three (03) recent years (2005-2007), nearly 32 thousand Vietnamese women got married to foreign husbands, who were mainly from China, Taiwan, Korea. Primarily, number of the women getting married to Taiwan men was high; however, in following years, there is a sharp

increase in number of women getting married to Korean ones. These women mainly got married to foreign men via intermediary agencies/organizations or were cheated to be victims (Le Thi Quy, 2010). Intermediary agencies/organizations set up “markets” for foreign men to buy Vietnamese women. In Ho Chi Minh City, the police uncovered these kinds of markets: there were up to 180 Vietnamese women taking off clothes to let 8 Korean men look at and bargain (Vietnamnet, 2008)

Advantages and challenges

Advantages: Vietnam’s legislations to deal with this issue are being refined. Many governmental and non-governmental organizations have been actively working on this issue via a number of action research studies and projects against gender-based violence and human trafficking. International cooperation has proved effective from central to local levels. Authorities’ and people’s awareness of human trafficking and gender-based violence is increasing. More and more project sites are being targeted to prevent domestic violence and prevent and control human trafficking.

Challenges: The Law on Domestic Violence Prevention and Control has not been officially executed while the Law on Human Trafficking Prevention and Control were ratified. However, there is a big gap between laws and enforcement while the state management agency for law enforcement has not been strong enough to perform its tasks. The State has not had sufficient investments to prevent and control gender-based violence. There is a lack of regulation on prevention and control of sexual harassment at workplaces despite so much information about this situation. There is a lack of national statistical data on this field. Officials and people’s awareness of this matter is better; however, it has not met the real demand. There are still big economic and social difficulties while social issues and crime are developing in recent years; adults, especially men have not actively participated in preventing domestic violence because they are busy with their business or they think that it is women’s problem. There is no monitoring activity in localities for this matter.

2.3. Gender-based violence, women and children trafficking prevention and control by the Government and NGOs – achievements compared to the previous report to CEDAW in 2007

2.3.1 Gender-based violence prevention and control

The Ministry of Labour, Invalids and Social Affairs (MoLISA) has been identified as the State management body for gender equality. Accordingly, in the Ministry, there is a Department of Gender Equality, which specializes in this issue. Other Ministries and equivalent agencies cooperate with MoLISA in this mission. Ministry of Culture, Sports and Tourism (MoCST) is the state management body for the family issue. In which, the Department of Family is directly in charge of domestic violence issue. People’s Committees at local levels acts as local competent bodies to manage gender equality and family issues. In addition, the National Committee for the Advancement of Women (NCFAW) and Vietnam Women’s Union are the bodies, which assist the Government to deal with problems related to women and women’s advancement nationwide. Moreover, female National Assembly Deputies delegations, which were formed since May 2008, have had many activities in legal aspects.

Over the past time, governmental and non-governmental agencies and organizations have developed and carried out many studies, consultancies, intervention models in communities to support victims of domestic violence and human trafficking. For example, the model of “safe house” (shelter) for victims of domestic violence and human trafficking by Vietnam Women’s Union in Hanoi, intervention model for domestic violence prevention in Thai Binh, Lang Son by Network for Empowerment of Women (NEW), models of counselling via hotlines, phones and clubs by Network for Domestic Violence Prevention (DOVIPNET) or domestic violence prevention campaigns in Yen Bai, Hanoi, Vinh Phuc, Ha Nam, Nam Dinh, Ha Tay by Gender and Community Development Network (GENCOMNET). Various forms of communication have been conducted in localities to popularize information about domestic violence. Training courses on gender equality and skills building for prevention and control of domestic violence, human trafficking have been conducted to change local authorities’ and people’s awareness of gender equality.

Many communes, ward branches and authorities have established teams consisting of representatives from local branches and departments and prestigious people in the community to deal with family conflicts or establish “reliable addresses” (safe shelters) to support victims or maintain “hotlines”, free legal aid centres to assist women when needed. Campaigns are organized to encourage men to be involved in the prevention and control of domestic violence and human trafficking.

2.3.2 Women and children prevention and control

The biggest challenge is an inadequate and inconsistent legal system for the prevention and control of human trafficking when there is not much close international cooperation on this matter. Procedures for labour export and tourists' exit and entry are loose. It is difficult to exchange information, identify, investigate and capture criminals; rescue, receive victims; extradite and return criminals to their countries. On average Vietnam receives about 5 million foreigners every year who come to work, or as part of bilateral or multilateral cooperation, do business or for tourism while a million Vietnamese people go overseas for tourism or for labour. These are favourable conditions for traffickers to cheat people.

In order to prevent trafficking of women and children, the State and its branches, agencies, non-governmental organizations have conducted many practical activities. Specifically:

- Improving leadership capacity for branches and levels to prevent and control women and children trafficking. Strengthening communication activities to enhance awareness of women and children trafficking prevention for children, returning victims and migrants who are at high risk of being cheated.
- In 2004, the Government approved the National Action Programme on combating women and children trafficking crimes. The programme included activities in prevention, control, protection and support for victims in 2004-2010 period.
- In 2005, the Government signed the Agreement on expanding the Project on Women and Children trafficking prevention and control, Phase II in the provinces in the North and South. Activities in new project sites (including Ho Chi Minh City) focused on fields of preventing and controlling human trafficking by raising awareness for target groups; at the same time, identifying risk factors related to migrant workers.
- According to the Women and Children Trafficking Project Office of International Labour Organization (ILO), the project was run with the cooperation and coordination with MoLISA, Vietnam Women's Union and other stakeholders (ILO, 2009)

Ministries, branches and non-governmental organizations have cooperated with the Steering Board of 130/CP Programme to set up networks to provide healthcare and support services for returning victims to re-integrate into community. Among 3,190 returning victims, 2,532 people were supported with psychological counselling, healthcare services; information and services in kind. There were 1,037 victims supported with a state budget to pursue vocational training programmes, the rest will be supported in coming time. In the past, many NGOs have deployed projects/programmes to provide psychological and legal assistance for victims (making procedures for their household certificates, identity cards, birth certificates for their children), medical assistance, vocational training, job assistance, education. Many localities have integrated human trafficking prevention activities into the activities of social organizations.

3. Recommendations

3.1 It is needed to develop Decrees and Circulars for guiding the implementation of Law on Human Trafficking Prevention and Control, focus on preventing and punishing human trafficking crimes as well as providing assistance to returning victims;

3.2 It is vital to allocate a clear budget for the implementation of the Law on Domestic Violence Prevention and Control and its guidance circulars;

3.3 Strengthen the enforcement of related laws and policies and specific measures to timely combat and punish against violence behaviours. Improve capacity of the state gender equality management agency;

3.4 It is needed to develop the support policies for victims of domestic violence and their children in terms of both material and legal aids. Issue the policies to encourage men to enforce measures for gender equality, elimination of gender-based violence and women and children trafficking;

create unity in actions of authorities, mass organizations, NGOs, families and community to combat gender-based violence and human trafficking; encourage studies, setting up of many models to support victims in community;

3.5 Develop an effective law enforcement mechanism, sanctions and monitoring to monitor the implementation of laws in localities;

3.6 Reinforce communication on CEDAW and Vietnamese laws and policies, especially those related to gender-based violence and human trafficking.

3.7 Based on community initiatives to solve social issues in the community. Mainstreaming gender equality into laws and policies and executing gender equality in families and society.

TOPIC: DISADVANTAGED WOMEN'S REPRODUCTIVE AND SEXUAL HEALTH

Executive summary

Over the past years, the Government of Vietnam has shown its strong commitment to implementing international treaties and conventions to which Vietnam has been signatory. Vietnam has also paid special attention to implementing the right to healthcare, especially reproductive healthcare for women. Relevant national policies, laws and national strategies on reproductive and sexual healthcare have been promulgated to reduce marginalization and discrimination in the provision of sexual and reproductive healthcare and assisting women, especially those in remote and mountainous areas, to access healthcare services. In addition, specific laws and policies relating to specific groups of women such as those living with or affected by HIV, female victims of domestic violence, elderly women, female adolescents, women with disabilities have actively supported them to express their need to formulate appropriate programmes and support services.

However, sexuality is still a sensitive topic and a taboo in Vietnam. Sexual and reproductive healthcare for women, especially those who are disadvantaged and easily vulnerable, are faced with many barriers and difficulties in engaging with this important programme. There are disparities between rural and urban areas, lowlands and highlands in pre- and post-bearing care, access to safe delivery and usage of effective contraceptive devices. The right to sexual and reproductive health of many groups of women such as those with disabilities, women living with HIV, elderly women, lesbians and single women has not been recognized in reality. Female migrant workers in cities are at high risk of suffering reproductive health problems and sexual abuse, yet they are not the target beneficiaries in community healthcare programmes because they do not have temporary or permanent residence certificates. Most medical workers have not been trained to be sensitive to women's specific needs related to sexual and reproductive health. The state and private sector have not established medical clinics friendly to adolescents, adults and people with disabilities.

NGOs' pilot models of improving sexual and reproductive health for disadvantaged and vulnerable women have not been shared and replicated widely due to ineffective cooperation between NGOs and the State. There is a lack of data on disadvantaged and vulnerable women groups, so it is difficult for the State and organizations to develop effective support programmes. In order to better implement Vietnam's commitments to CEDAW via assistance to women to equally access healthcare services, the State has to increase communication about disadvantaged and vulnerable women's sexual and reproductive health to policy-makers, medical workers, family members and these women themselves for positive views on their rights and more appropriate behaviour and attitude. Studies on these women's sexual and reproductive health need to be conducted systematically to provide data for the formulation of relevant policies and programmes. NGOs' roles in sexual and reproductive healthcare need recognition. To bring into play NGOs' strong point in access to disadvantaged and vulnerable women groups, the State should not only recognize NGOs' role in providing consultations to law and policymaking process but also assign NGOs with specific tasks and responsibilities in ensuring sexual and reproductive health.

1. Introduction

After the International Conference on Population and Development in 1994 in Cairo, the Government of Vietnam promulgated the National Strategy for Reproductive Healthcare for the period 2001-2020. The Strategy stressed on the goal of improving reproductive healthcare for people and special attention should be paid to the reduction of reproductive healthcare disparities among regions and target groups. When the period of 2001-2010 was completed, the Ministry of Health developed the Strategy for Population and Health for the period 2011-2020 and it has been submitted to the Prime Minister for approval. Some other important strategies which can actively support the Strategy on Population and Development such as the Strategy for HIV/AIDS Prevention in 2011-2020 period and National Strategy for Gender Equality in 2011-2020 period, which has been approved by the Government. The process of developing and refining the strategies involved many local and international organizations, including NGOs. In 2009, Vietnam approved the Law on Disease Examination and Treatment; in which, there is a provision for ensuring healthcare services for people; regulations on the morality and professions of the health branch; as well as regulations on non-discrimination in healthcare service provision. Therefore, it can be said that the Government of Vietnam has tried its best in implementing

its commitments on ensuring healthcare for people. In addition, a number of new laws have been approved in recent years such as the Law on HIV/AIDS prevention and control (2006), Law on Gender Equality (2006), Law on Domestic Violence Prevention and Control (2007), Law on Aged People (2009), and Law on People with Disabilities (2010). These laws will create a favourable legal environment for the implementation of healthcare for people in general and women in particular. Contents of the laws and policies are in accordance with CEDAW. The article 12 of CEDAW stresses women's right to access healthcare, which has been expressed in the previous state reports; however, it was mainly about comparison between men and women in accessing healthcare when it had not exposed all women's difficulties and limitations in accessing to it. Based on Vietnamese NGOs' viewpoints, this report focuses on analyzing disadvantaged women's access to healthcare, or more specifically, reproductive and sexual healthcare, which has usually been ignored in programs for poor, ethnic minority women, women with disabilities, women living with HIV, migrant women, prostitutes, female adolescents and female adults¹. This report is based on Articles 12, 14 (2b), 16e of CEDAW and General Recommendations No 15, 18, 24 and 26.

2. Disadvantaged and vulnerable women's reproductive and sexual healthcare situation

2.1 At higher risks of getting troubles with sexual and reproductive health problems

Though Vietnam has made great efforts in reducing the total fertility rate and maternal mortality rate, there are disparities between urban and rural areas, especially mountainous and remote areas. The fertility rate in urban areas is only 1.73 percent while in rural areas it is 2.28 percent. More noticeably, the fertility rate is 2.5 percent to 2.8 percent in remote and underdeveloped areas such as Ha Giang, Lai Chau, Gia Lai and Dak Lak (UNFPA 2009). Mountainous provinces with many ethnic minorities like Cao Bang, the maternal mortality rate is 10 times higher (410/100.000) than that in provinces in Red River Delta (40/100.000), let alone maternal mortality errors in the report because it is difficult to reckon this rate (Tran Thi Phuong Mai, 2005).

Studies show that female adolescents and adults migrating from rural to urban areas are at high risk of being trafficked and sexually abused (Rushing 2006, CISDOMA 2008). Migrant women working in factories, entertainment establishments, and sex work are at high risk of being abused, acquiring sexually transmitted diseases and HIV (Nguyen Truong Nam et al 2010; Ngo Duc Anh, 2010).

Disability greatly affects women's families and their sexual life. Men account for 70 percent of the married people with disabilities while this rate is only 30 percent for women. 76 percent of men and 85 percent of women with disabilities believe that their disability situation is the main cause of their marriage not working (Le Bach Duong and Khuat Thu Hong, 2008).

The rate of women living with HIV in Vietnam is increasing rapidly. In 2007, number of men aged 15 years old and above infected with HIV were three (03) times higher than the number of women in the same age cohort. This disparity will be 2.6 times in 2012 with the rate of pregnant women infected with HIV increasing highly. It is estimated that there will be 48000 pregnant women infected with HIV by 2012 (Ministry of Health, 2009). Women living with HIV are more disadvantaged in looking for healthy spouses. Doctor Khuat Hai Oanh's study in 22 provinces in 2009 showed that 84.3 percent of women living with HIV had lovers who were HIV positive when this rate for men was only 53 percent. 24 percent of women living with HIV in this study were pregnant after they knew they were HIV positive, 61 percent had abortion and 13 percent had abortions at least twice. Moreover, 24 percent of women living with HIV said that they had symptoms of sexually transmitted diseases (STDs) over the last 12 months (Khuat Hai Oanh et al 2009). Another study also illustrated that women infected with HIV had to suffer from high pressure on having babies, especially male ones (Hoang Tu Anh et al, 2009, Pauline et al, 2008)

Young women have high risk of unwanted pregnancy and abortion. National Survey Assessment of Vietnamese Youth (SAVY) showed that age at first sex for girls has declined 1.5 years (18 years old in SAVY 2 in comparison with 19.4 years old in SAVY 1), nearly half (47%) of female adults actively searched information about preventing pregnancy and nearly 65 percent of them still felt shy to use condoms (SAVY2 2010).

1. Information related to violated women groups and girls in streets/re-training schools will be presented in the topics of "gender-based violence" and "girls' rights"

2.2 Disadvantaged and vulnerable women's knowledge of sexual and reproductive health is limited

When women's knowledge of family planning has not been good, they also lack knowledge of reproductive health issues such as prevention of genital inflammation, menses care, washing after having sexual intercourse, etc. Ethnic minority women know less about contraceptive devices than Kinh women and they do not understand much about STDs and HIV/AIDS (UNFPA 2007). In the research with migrant people, female workers had limited knowledge of HIV and they (female workers) still discriminate against people living with HIV (Nguyen Truong Nam et al, 2010).

Knowledge of sexual and reproductive health of women living with HIV or affected with HIV is limited, especially knowledge relevant to risks of getting infections (Khuat Hai Oanh et al, 2009)

Some studies conducted with women with disabilities showed that social stereotypes about these people are popular; so many people think that they do not have the right to love and to be loved, having sex, getting married or giving birth to babies. This poses a limitation on them in searching information about reproductive and sexual health (Hoang Tu Anh et al, 2010, Do Thanh Toan 2009).

When sexual intercourse before marriage tends to increase, only 18 percent of female adults have the correct knowledge about the time when they are at risk of becoming pregnant. There is a big gap between rural (17 percent) and urban areas (23 percent) as well as ethnic minority (12 percent) and Kinh/Hoa female adults (19 percent) (SAVY2 2010).

2.3 Access to and usage of sexual and reproductive healthcare in health clinics is low

The contraceptive use rate in Vietnam is high and there is no significant difference between rural and urban areas. However, there is a big gap between those having high academic qualifications and those who have never gone to school or between the Northern Delta of Vietnam and Tay Nguyen area (UNFPA 2009). Barriers for ethnic minority women's access to healthcare services include geographic distance, no money for going to local clinics to give birth, transportation fee, meals, and when nurses in hamlets are usually men women feel shy about asking for their help. 56.1 percent of women in mountainous areas give birth at home and have relatives or neighbours or friends assist with the delivery (CCIHP 2009). There is a H'mong commune where 100 percent of women gave birth at home (UNFPA 2007).

When average rate of women getting antenatal examination nationwide is 94.2 percent (1 time) and 86.5 percent (three times or more), only 45 percent of ethnic minority women are getting antenatal examination three (3) times. In places where there is no project, it is only 30 percent (UNFPA 2007). Pregnant women living with HIV having antenatal examinations at least once account for 72 percent. 9 percent of women living with HIV have been pregnant or given birth because they could not access abortion services; and 31 percent of them thought that they were pregnant because they did not have access to appropriate contraceptive services (Khuat Hai Oanh et al, 2009).

Migrant women in the country though are at a higher risk of getting diseases, their access to services is limited. Difficulties in registering residence, economy and marginalization have made many migrant women hesitate to go to health clinics (CISDOMA 2008, UNFPA 2010).

Unmarried women, lesbians, female sex workers are fearful to go to health clinics when they get problems like leucorrhoea or pains in lower abdomen because they think that medical workers will judge them (Vu Thu Ha 2008). Female adults often hesitate to buy condoms or emergency contraceptives because they are afraid that people will know they are sexually active. Limited counselling for adults to buy and use contraceptive devices has reduced effectiveness of devices (Hoang Tu Anh et al 2008), Bui Thi Thanh Mai et al 2008). UNFPA's programme evaluation report showed that adolescents and adults in remote areas have limited access to contraceptive devices (UNFPA 2006). Friendly health clinics for adolescents and adults as well as consultation centres for their sexual and reproductive health have only been established in project sites and many of them have not worked effectively (ARROW 2009).

Many health clinics have not been friendly towards people with disabilities. They themselves have difficulty in going to health clinics because they have problems with mobility. Communication materials on sexual and reproductive health for people who are visually impaired and have hearing problems are rare (CCIHP 2010).

In addition to cultural reasons, the non-availability of sexual and productive healthcare services is a key cause that limits disadvantaged women groups' access. Those such as safe motherhood and newborn baby care are

usually not available in rural and remote areas, which is the main cause for a high rate of maternal and newborn child mortality. The evaluation report show that up to 50 percent of health units at district level are unable to provide essential and comprehensive obstetric services; more than 50 percent of community health clinics cannot provide essential and basic obstetric services (University of Public Health, 2009). 40 percent of maternal deaths are reportedly caused by late obstetric service provision in health clinics (CCIHP, 2009).

Women living with HIV also have limited access to services for preventing mother-to-baby transmission of HIV. In an evaluation conducted in 506 medical clinics providing pre-born healthcare services, only 107 clinics (21 percent) provide minimum basic services for preventing mother-to-baby transmission of HIV (University of Public Health, 2009).

Besides the lack of adequate quality sexual and reproductive healthcare services need to be paid more attention. The survey report on reproductive healthcare service system by Reproductive Health Department (2007) showed that there was a serious shortage of human resources providing reproductive healthcare services and their professional qualifications have not met standards, especially at grassroots level.

2.4 Many disadvantaged women groups' reproductive and sexual rights have not been recognized

In families of people with disabilities, many parents find it unnecessary to equip reproductive health knowledge to their daughters with disabilities when they are growing up. If a woman with disabilities is rewarded with a man's love, she must try to break barriers from her family (CCIHP 2010, Do Thanh Toan et al, 2009).

Women living with HIV or those having husbands with HIV believe that sex is not good for people's health with HIV, so they often avoid or reduce sexual intercourse. Many counsellors or service providers think alike. Sex and the risk of HIV transmission are not discussed properly in consultations and examinations (Hoang Tu Anh et al, 2009). Many service providers have negative attitudes towards people with HIV who have decided to have babies, which have limited their access to technique and practices for having babies with low risks of HIV infection.

Women reaching menopause are also considered not to have demands of sex, which also limits their access to related services. Reproductive and sexual health services for older women are rare and mainly concentrated in big cities. There are few studies on aged women's demand of and access to reproductive and sexual health care.

2.5 Gaps in policies and sexual and productive health services for disadvantaged women

2.5.1 Some disadvantaged women groups have not been recognized in sexual and reproductive health policies

The Population Strategy for the period 2001 – 2010 prioritised poor women and those in remote areas. However, other groups such as migrant women, women subjected to domestic violence, women living and affected with HIV, women with disabilities and ethnic minority women are not specifically mentioned in the strategy (Population Committee 2000). This not only limits budget planning, specific strategies and activities but also misunderstands those women's sexual and reproductive needs. National Targeted Program on Sexual Healthcare in 2001-2010 period stresses that it is necessary to reduce reproductive health gaps in different regions and meet various target groups' demands for reproductive healthcare. Two specific target groups mentioned in the strategy are adolescents and older women. Other disadvantaged groups are not fully mentioned in the strategy (Ministry of Health, 2000).

National Standard Guideline on Reproductive Healthcare has guided medical workers to provide services to adult women, women violated with HIV; however, it does not guide them to contact other disadvantaged women. This guideline also mentions about skills to contact gay men but not lesbians (Ministry of Health, 2009).

Law on People with Disabilities focuses on providing health assistance and improvement in general, but does not specifically mention about their sexual and reproductive healthcare. The Strategy for Population in 2011-2010 sets targets to reduce childbirth rate of couples with congenital malformation to 50 percent, which is a non-direct discrimination of disabled people's reproductive rights and shows marginalization to them.

2.5.2 Service providers have not been sensitive with disadvantaged women's demands of sexual and reproductive healthcare

Many medical workers in local voluntary counseling and testing (VCT) centres do not know which medical units are able to provide reproductive health services to people with HIV. They admitted that their knowledge of

instructing and supporting reproductive health to people with HIV was limited. Many managers and service providers have not appreciated their demands of having babies as a priority beside HIV treatment with Antiretroviral drug (ARV), or occasional inflammation or earning money to take care of their children. This concept has more or less affected counselling with people with HIV (Nguyen Truong Nam et al 2009).

Medical workers and pharmacists still have negative attitude to sexual intercourse before marriage, which makes male and female adults find it difficult to expose their problems to access sexual and reproductive healthcare services (Hoang Tu Anh et al, 2008).

Ministry of Health has developed a strategy for caring for adolescents' reproductive healthcare and issued a Circular on integrating domestic violence prevention into medical services. They also are developing a guideline for providing reproductive healthcare to people with HIV; however, they have not issued similar programs to other disadvantaged women groups. Most medical workers have not been trained with awareness raising and working skills for sexual and reproductive healthcare to work with disable women, female prostitutes, lesbians, aged women.

2.5.3 Cooperation with NGOs and private health clinics in providing reproductive healthcare to disadvantaged women is limited

When sexual and reproductive healthcare services to disadvantaged women provided by the State are limited, Vietnamese NGOs have made great efforts to fill in the gap. There are many good pilot models implemented by NGOs to strengthen sexual and reproductive healthcare and respect disadvantaged women's sexual and reproductive rights. For instance, model of mainstreaming gender equality into sexual and reproductive healthcare for women with HIV in Hai Phong province by Centre for Community Health and Development (COHED); models of strengthening HIV/AIDS prevention and sexual and reproductive healthcare for migrant workers, ethnic minority women and adults by Centre for Community Health Research and Development (CCRD), Institute for Development and Community Health (LIGHT), Institute of Development Economics Consultants - Social And Rural Mountain (CISDOMA), Hanoi Medical University, and for disabled women by Inclusive Development Actions (IDEA) and LIGHT; model of access, care and support for female prostitutes by STD/HIV/AIDS Prevention Center (SHAPC) and Centre for Supporting Community Development Initiatives (SCDI); activities in promoting people's rights to homosexuality by Center for Studies and Applied Sciences in Gender- Family - Women and Adolescents (CSAGA) and Institute for Social and Economic Environment (ISEE); annual and short-term training programmes on gender and sex for social workers and services providers by Center for Creative Initiatives in Health and Population (CCIHP) and Institute for Social Development Studies (ISDS).

Intervention models by NGOs help not only to connect beneficiaries with services but also to empower disadvantaged women via capacity building and networking activities. Some NGOs' pilot models have been recognized by the Government and put in national policies and action plans to be replicated nationwide like the model on domestic violence prevention in medical clinics or model on friendly services to adults. However, many models have not been paid attention to by the State to be further replicated.

Not only deploying intervention and training models, NGOs have conducted many important studies to identify disadvantaged women's needs and demands of sexual and reproductive healthcare. However, there is a limitation in using these studies in programme planning and policy making. Workshops to share research findings often attract little concern from state agencies.

3. Conclusion and recommendation

3.1 Disadvantaged women's groups have difficulty in accessing sexual and reproductive healthcare services. In addition to objective reasons such as physical, geographic and economic conditions, an important reason which limits their access to sexual and reproductive healthcare services is that women's sexual and reproductive rights have not been recognized by the society and sometimes even by service providers and program managers. Therefore, it is essential to raise social and medical workers' awareness of sexual and reproductive health and rights for those women and set up programmes and services, which can meet their specific demands. Programme formulation and service design should include professional training of medical

workers in handling of different groups of women, not only technical matters.

3.2 Lack of data and research is a big barrier to assess disadvantaged women's demands of sexual and reproductive healthcare. For example, aged women and women with disabilities among many of them seem to keep silent in the general report on sexual and reproductive situation. Disaggregated data by region, economic condition and age have not been done in many surveys, so it is difficult to evaluate women groups' sexual and reproductive healthcare situation systematically. Therefore, it is important to conduct more qualitative and quantitative studies on disadvantaged women's demands of sexual and reproductive health to help policy and program makers identify issues for better action plans.

3.3 NGOs are developing strongly in Vietnam and soon become an important part in promoting disadvantaged women's sexual and reproductive rights. However, cooperation and recognition of NGOs' roles in national programmes/projects are weak and non-specific. In addition to inviting representatives from NGOs to participate in consultation meetings to contribute to programmes and policies, the State can promote effective cooperation with NGOs via assigning them with specific roles and resources to bring into play their strong points such as communication, training, community access, policy advocacy and study. In the reports on sexual and reproductive healthcare, there should be a separate section about NGOs' activities.

CONCLUSION

From 2006 up to now, CEDAW has been implemented in Vietnam with confirmed achievements and encouraging progress. CEDAW has been reflected in Vietnam's national legal system with the enactment of Gender Equality Law and Domestic Violence Prevention and Control Law, Law on Human Trafficking Prevention and Control, National Strategy for the Advancement of Women 2001-2010. Discrimination against women has declined and women's right to equality has improved much.

Those achievements are the result the great efforts of the Government, state management bodies and the whole society at all levels invested in promoting gender equality with cooperation and assistance from social forces, including NGOs. People's awareness of women's rights has been improved.

However, it is still difficult and challenging to ensure substantive equality and eliminate all forms of discrimination against women in social and family life in Vietnam.

The situation of sex workers, the trafficking of women and children, gender-based violence, etc., are serious issues involving the violation of human rights, and having adverse consequences to a women's physical and mental health. The challenges highlighted place a responsibility upon authorities, from central to local levels to take stronger measures to integrating laws, policies into daily life and people's responsibilities to implement them.

Though many Vietnamese women have enjoyed the right to equality recognized by CEDAW, a number of vulnerable women groups (poor women, women with disabilities, ethnic minority women, women living with HIV/AIDS, etc...) are more disadvantaged and vulnerable than men, and their rights, enshrined in legislation, are often not respected in relation to employment, education, vocational training, health care, and other social services. Therefore, it is important to pay particular attention to these groups.

Women's right to political participation is affirmed in the Gender Equality Law and the National Strategic Plan for Gender Equality in 2011-2020 period. However, available data show that gender equality in politics has not been much improved. Therefore, it is needed to have strong commitments from the Government in taking effective special measures to increase quantity and quality of women participating in politics from local to central levels.

In the context that Vietnam has escaped from poverty, further shift towards a new mechanism with severe challenges caused by globalization and integration, climate changes, etc..., which directly affects the country's development and execution of gender equality for women, commitment to implement CEDAW needs to be stronger. The Government and state management bodies need to have political will to mobilize every social force in the struggle against "gender stereotyping" and discrimination against women via many different measures, including legal ones. It is essential to strictly enforce these acts which violate international normative principles of women's rights. More special measures need to be taken to promote substantive equality and empowerment of women.

REFERENCE

I. TOPIC. WOMEN AND POLITICAL PARTICIPATION

1. Action Aid Vietnam, CEPEW, Research report on women's political participation in Vietnam, Lao and Cambodia, March 2010.
2. State Report on the implementation of national gender equality goals, May 2009.
3. The fifth and sixth state report on the implementation of CEDAW in Vietnam, 2005.
4. Vietnam NGOs' Report on CEDAW implementation in Vietnam, November 2006.
5. Decree No 37-CT/TW dated August 4th 2009 of the Party Central Politburo on Party Congresses at levels.
6. CEPEW, Survey Report on Women in People's Councils in Cao Bang, Hanoi and Ninh Thuan, 2008.
7. Convention on Elimination of all Forms of Discrimination against Women, Women Publishing House, 2005.
8. Government, National Strategy for the Advancement of Women by 2010, 2002.
9. GENCOMNET, Workshop Report on roles of social organizations in promoting women's political participation, 2007.
10. Nguyen Duc Hat, Le Minh Thong, Summary Report on Results of the research on improving female cadres' leader capacity in the political system, 2006.
11. Pham Thu Hien, Truong Thi Hong Ha – Research Report on gender analysis in activities of People's Councils in Ninh Thuan Province, April 2009.
12. The Constitution of Socialist Republic of Vietnam, 1946, 1992.
13. Vietnam Women's Union, Workshop Report on female cadres' work in the period of promoting the country's industrialization and modernization, 2009.
14. Vietnam Women's Union, Vietnamese NGOs' Report on 15 years of implementing the Beijing Declaration and Platform of Actions, 2009.
15. Law on Elections to People's Councils, 2003.
16. Amended and supplemented Law on Elections to the National Assembly, 2003.
17. Tran Thi Bach Mai, Doctorate Thesis "Theory and Reality of promoting women's participatory role in managing and maintaining universities, 2003.
18. Duong Thi Minh, Gender Issue in management and decision-making, Workshop Report on developing strategic plan for gender equality 2011-2010, December 2009.
19. Resolution No 11-NQ/TW of the Party Central Politburo on female cadres' work in the period of accelerating industrialization and modernization, 2007.
20. Decision No 04/2006/QD-BNV (January 25th 2006) on regulations of sending civil servants to participate in overseas training, education using state budget resources.
21. Human Development Report, UNDP, 2007-2008.
22. Committee on Social Affairs of the National Assembly, Quang Ninh Provincial Committee of the Party, Vietnam female deputies, Workshop on gender equality promotion in political field, October 2010.

II. TOPIC. ETHNIC MINORITY WOMEN AND EDUCATION

1. Covenant on Economic, Social, and Cultural Rights.
2. Convention on the Elimination of all Forms of Discrimination against Women.
3. National Programme on Education for All by 2015.
4. Ministry of Education and Training, Summing-up Report on 5 years of implementing the National Programme on Education for All, 2003-2008.
5. Ministry of Education and Training, Summing-up Report on 3 years of implementing the Master Plan on "Building up a learning society" and "developing community learning centres", 2008;

6. Dr. Do Thi Bich Lan, Institute of Educational Science of Vietnam, Gender Equality in Education of Vietnam.
7. Law on Education, 2005.
8. Law on Universal Primary Education, 1991
9. Thai Xuan Dao, Institute of Educational Science, Non-formal education: Situation and Solutions, 6/2010;
10. Nguyen Dang Dung, Pham Hong Thai, Faculty of Law, Hanoi National University, Q&A on Human Rights, Publishing House of the Public Security, 2010.
11. Central Committee for Ethnicities, Report on achievements and development in the years of implementing the “renewal policy”, 2010.
12. Central Committee on Ethnicity, Situation of gender equality execution on ethnic minority areas and the areas with extreme socio-economic disadvantages, November 2010.
13. Key points for Education for All, UNESCO, Bangkok, 2008.

III. TOPIC. RURAL WOMEN’S ECONOMIC RIGHT

1. ActionAid Vietnam, Report of the Survey on Women’s rights to access to lands from the view of issuing land-use right certificates in 06 developing areas: Hoa Binh, Lai Chau, Ninh Tuan, Gia Lai, Tra Vinh, Vin Long provinces, ActionAid Vietnam, August 2008.
2. Mid-term Review on the implementation of National Action Plan for the Advancement of Women 2006-2010.
3. MPI and GSO, Report on Labour and Employment September, 2009.
4. Committee for the Advancement of Women, and Ministry of Agriculture and Rural Development. Gender issues in agriculture and forestry in mountainous areas of Vietnam. Technical Working Group on Gender Issues;
5. A Survey by GSO in 2007.
6. Draft Report on the Implementation of MDG – “Vietnam on the way of achieving MDGs, June 2010;
7. Hoang Ba Thinh, Policy for rural women in industrialization period, Communist Journal, 2010;
8. [Http://vneconomy.vn/65528P5C11/nhieu-nong-dan-bi-thu-hoi-dat-that-nghiep.htm](http://vneconomy.vn/65528P5C11/nhieu-nong-dan-bi-thu-hoi-dat-that-nghiep.htm);
9. Nguyen Thi Bao, Impacts of traditional practices and customs on gender equality execution – from the view of Northern Delta Areas, Communist Journal, Volume 13 (181), 2009.
10. Family and Gender Journal, Volume 17 No 6 Page 58.
11. UNDP, (2009) Vietnam Human Development Report 2009.

IV. TOPIC. RIGHTS TO EQUALITY, NON-DISCRIMINATION AGAINST CHILDREN

1. Benedict Mann, Dang Thi Hai Tho, An overview of Causes for school-drop-out of students aged 11-18 years old in Vietnam, 2010.
2. Institute of Family and Gender, Report on analyzing and evaluating 3 years of implementing the Decision No 19/2004/QĐ - TTg of the Prime Minister approving the Programme on preventing and solving the situation of street children, sexually abused children and child labour in hazardous and dangerous condition, Hanoi, 2009.
3. MoET, Educational Statistics on Drop-out situation of students at secondary level in the last 3 school years: 2006 - 2007, 2007 - 2008, 2008 – 2009.
4. MoET, Report No 123/BC - MoET sending to Committee on Social Affairs of National Assembly on February 27th 2009 on the situation of gender equality in education and training sector.
5. MPI, Report on the Implementation of MDGs 2010, September 2010.
6. MoH, General Department of Population, Report on dealing with sex imbalance.
7. Delegation of Intersectoral inspectors, Report on the situation of state management on children and

- the usage of child labour in Hanoi and Ho Chi Minh City, February 2008.
8. MA. Do Thi Mai, Situation of using child labour, issue of girl children in working to earn living, 2010.
 9. Ass.Prof. Dr. Do Ngoc Tan, MoH, Some issues related to sex imbalance before bearing, October 2010.
 10. Holsinger, D. B. 'The Distribution of Education in Vietnam: Why Does Equality Matter?'. The Political Economy of Educational Reforms and Capacity Development in Southeast Asia (Ed. s Hiroso & Kitamura). Springer Science 2009.
 11. Workshop on protecting sexual and reproductive health for women and adolescents organized by ASAP in collaboration with REACOM on August 31st 2010 31/08/2010.
 12. Nguyen Thi Linh Don, Attitude and demands of sex education of students in Suong Nguyet Anh Higher Secondary School, District No, Ho Chi Minh City, June 2006.
 13. Inspectors of Ministry of Public Security, Report on the situation of dealing with child-sexual abuse cases of the police in 10 provinces/cities, 2006, 2007.
 14. RCFLG, ILSSA, Report on situation of child labour in 08 provinces/cities of Vietnam, Hanoi, September 2009.
 15. Truong Cong Thanh, Centre for General Education, Research Institute of Education, Situation of Drop-out students and solutions, 2009.
 16. Committee on Social Affairs under National Assembly, Official Document No 2592/UBXH12 dated October 12th 2010.
 17. UNICEF, Mainstreaming gender equality training and education into curriculums, 2008.
 18. UNFPA, Situation of Vietnam's population 2006, new data: sex ratio before bearing.
 19. Institute of Scientific Socialism, Gender Issues: From their history to present, Political Publishing House, 2007.
 20. Institute of Social Science of Vietnam, Gender Equality in Vietnam, Social Publishing House, 2008.

V. TOPIC. GENDER-BASED VIOLENCE IN FAMILY AND WOMEN AND CHILDREN TRAFFICKING

1. Criminal Code, Amended One according to the Law No 37/2009/QH12 on amending and supplementing some provisions of the Criminal Code, 1999.
2. Item 6 in the General Recommendation No 19 of CEDAW Committee.
3. Constitution of Vietnam (1992) and amended one in 2002.
4. ILO, Project on Women and Children Trafficking 2010, at www.ILO.org/public 23/10/2009.
5. Law on Gender Equality, No 73/2006/QH11 dated November 29th 2006.
6. Law on Domestic Violence Prevention and Control, No. 02/2007/QH12 dated November 21st 2007.
7. Le Thi Quy, Migration and marriage between Vietnamese women with men in some Asian countries – problems and solutions, Family and Gender Journal Hanoi, April 2010.
8. Radika, Report on gender-based violence in Committee on Social Affairs under National Assembly, Hanoi, Vietnam, 2005.
9. RCGAD, CWD, GSO, Report on level of reporting to the police by victims of domestic violence and interventions of the police and legal officials to prevention domestic violence in Vietnam, Hanoi, 2010;
10. CCIHP, MoH, MDGF, Results from the National Survey on Domestic violence against women in Vietnam, Hanoi, 2010.
11. Committee on Social Affairs under National Assembly, a document on Domestic violence and human trafficking prevention, 2010.
12. Huu Vinh (2005), Viet Newspaper – Tien Phong Newspaper, March 24th 2005.

VI. TOPIC: DISADVANTAGED WOMEN'S SEXUAL AND REPRODUCTIVE HEALTH

1. Hoang Tu Anh, Nguyen Truong Nam, Nguyen Thi Vinh, Intimate Partner Transmission of HIV in Vietnam: Findings from a Review of Policies, Research, Interventions and IEC materials and a Qualitative study in Ha Noi and Hai Phong. Hanoi. UNAIDS and CIHP, 2009 (2010).
2. Ministry of Health, Estimates and Forecasts for HIV/AIDS infections in Vietnam for 2007-2012 period, 2009.
3. Ministry of Health, National Targeted Program on Reproductive Healthcare 2001-2010 period, Hanoi, 2000;
4. Ministry of Health, National Guidelines for Reproductive Healthcare, 2009.
5. CISDOMA, Learning about rag-and-bone women's demands of sexual and reproductive healthcare in O Cho Dua Ward, 2008.
6. Desire for a child in the context of HIV in Vietnam. *Culture, Health & Sexuality*, May 2008; 10(4): 403–416;
7. Do Thi Thanh Toan, Nguyen Hong Ha, Tine Gameltoft, Pamela Wright, Chances to have love, sex under disable women's view, 2009.
8. Khuat Hai Oanh et al, HIV-infected people's demands of sexual-reproductive health. Presentation in the meeting of Technical Working Group on Gender and Sexuality, January 2010.
9. Le Bach Duong and Khuat Thu Hong, Research on people with disabilities in Vietnam. National Politics Publishing House, Hanoi, 2008.
10. Ngo Duc Anh, Sherul A. Mccurdy, Michael W. Ross, Christine Markham, Eric A. Ratliff, Pham Thi Bich Hang, Female prostitutes' life in Vietnam: findings from a qualitative study. *Gender Journal. Sex and Health*. No 21, 2010.
11. Nguyen Truong Nam, Pham Thi Hoang Van, Nguyen Hoang Linh,. Risks related to migration of men and women groups after the building of Ho Chi Minh city-Phnom Penh highway, the international lobby in the South. Report presented in Negotiation Conference on Sex in moving spaces, Hanoi, 2010;
12. Nguyen Thi Mai Huong, Centre for Community Health Research and Development (CCRD), presentation in Conference on Rights and Health in Hanoi, 2009.
13. Nguyen Truong Nam, Phan Thu Ha, Vu Song Ha, Quach Thi Thu Trang et al, the review of 'experiences of PEPFAR and PACT partners in responding to the SRH needs of PLWHIV'. Pact Vietnam, Hanoi, 2009.
14. Pauline Oosterhoff, Nguyen Thu Anh, Ngo Thuy Hanh, Pham Ngoc Yen, Pamela Wright, Anita Hardon. 2008. Holding the line: family responses to pregnancy and the desire for a child in the context of HIV in Vietnam. *Culture, Health & Sexuality*, May 2008; 10(4): 403–416.
15. National Assembly, Law on People with Disabilities, Hanoi, 2010.
16. SAVY 2, General Department of Population, General Statistics Office, Asian Development Bank, National Survey on adolescents and adults 2: Department of Publishing, Hanoi, 2010.
17. Rushing, Rosanne, Migration and Sexual Exploitation in Viet Nam, *Asia and Pacific Migration Journal*, Vol. 149(4) pp.471-494, 2006.
18. Consultation of Investment in Health Promotion (CCIHP), Hoang Tu Anh and Nguyen My Linh, International Conference on Population and Development + 15 Research on monitoring national indicators – Vietnam, Draft report, 2009.
19. Public Health University, Evaluation report on implementation of reproductive healthcare, 2011-2010 period. Draft report, 2009.
20. UNFPA, Population and Development in Vietnam. Towards a new strategy in 2010-2020 period, 2009.
21. UNFPA, Village-based midwives reach out to ethnic minorities. <http://asiapacific.unfpa.org/public/cache/offonce/pid/6678;jsessionid=6EE642AD13D6929A8EB39D347231ECAE>. Access date 3 Nov 2010.
22. UNFPA. Knowledge and behaviours of ethnic minority community of reproductive health, UNFPA: Hanoi, 2007.
23. UNFPA, Internal migrant and socio-economic development in Vietnam: A call to action, 2010.
24. National Committee on Population and Family Planning. Population Strategy in 2011-2010 period, Hanoi, Vu Thu Ha, 2008.

ANNEX

LIST OF ORGANIZATIONS, INDIVIDUALS WHO ENGAGE IN THE REPORT

I. Donors

- ActionAid Vietnam (AAV)
- Embassy of Switzerland;

II. Report groups

- Centre for Education Promotion and Empowerment of Women (CEPEW);
- VNGO Alliance for poverty reduction, environment protection and sustainable development (VNGOA);
- Centre for Creative Initiatives in Health and Population (CCIHP);
- Research Centre for Gender and Development (RCGAD);
- Vietnam Association for Child Right Protection (VACPR);
- Centre for Community Socio-economic and Environmental Development (CSEED);

III. Authors of the report

1. Topic. Women and political participation

- Dr. Vuong Thi Hanh, Director of CEPEW
- MA. Duong Thi Minh, CEPEW
- MA. Ngo Thu Ha, CEPEW
- MA. Do Thi Mai Hien, CEPEW

2. Topic. Ethnic minority women and education

- Ms. Nguyen Thi Van, Chairperson of VNGOA
- Mr. Vu Van Duc, VNGOA
- Mr. Dao Duy Thu, Institute of Educational Science of Vietnam;
- Mr. Nguyen Huu Tien, Centre for Continuous Education Development under Vietnam Association for Science and Educational Psychology;

3. Topic. Rural women's economic right

- Ms. Than Thi Chung, Director of CSEED
- Ms. Pham Kim Ngoc, Director of CGFED
- Ms. Nguyen Thu Huong, Programme officer of CGFED
- Ms. Nguyen Thi Lan Huong, Deputy director of CEPHAD
- Mr. Nguyen Duc Thang, Programme officer of CEPHAD
- Mr. Dang Ngoc Quang, Director of RCSD

4. Topic. Equal rights and non-discriminations against girl children

- Ms. Tran Thi Mai Huong, Vice chairperson of VACPR
- Ms. Ninh Thi Hong, Standing Member of VACPR
- Pham Thi Xuan, Deputy-head of Department of Study, Policy Advocacy, VACPR.

5. Topic. Gender-based violence in family and women and children trafficking prevention

- Prof, Dr. Le Thi Quy, Director of RCGAD ;
- MA. Lawyer Duong Kieu Huong
- MA. Nguyen Thi Tuyet Nga, Programme officer of RCGAD
- Lawyer Le Thi Ngan Giang, Executive Board member of NEW

6. Topic. Disadvantaged women's sexual and reproductive health

- MA. Hoang Tu Anh, Director of CCIHP;
- MA Quach Thu Trang, Programme officer of CCIHP;
- MA. Nguyen Thi Thanh Trung, Programme officer of CCIHP;

- Dinh Thi Phuong Nga, Programme officer of CCIHP.

IV. Editing the report

- Dr. Vuong Thi Hanh, Director of CEPEW;
- BA. Hoang Thu Huong, Coordination of GENCOMNET;

V. Translating the report

- BA. Nguyen Thi Hien, Research Centre for Female Labour and Gender, ILSSA, MoLISA;

VI. Editing the report in English

- Mr. Ian Bromage, HIV programme officer, MCN.

VII. Organizations and individuals that provide technical assistance and consultations for the report

- International Women's Rights and Actions Watch Asia – Pacific (IWRAP)
- Ms. Shireen Pervin Hug, IWRAP expert.

VIII. Organizations that participated in the workshop for the draft report

- Ms. Nguyen Thi Quynh Hoa, ActionAid Vietnam.
- Ms. Do Hanh Chi, ActionAid Vietnam.
- Ms. Daniela Haenggi, Embassy of Switzerland.
- Ms. Lombard Anne-Marie, Embassy of Switzerland.
- Mr. Vu Ngoc Binh, UN Women.
- Vietnam Association for Education Promotion.
- Bac Giang Association for Child Rights Protection.
- Plan Hanoi.
- Institute for Family and Reproductive Health (RaFH).
- Research Centre for Gender and Development (RCGAD).
- Centre for Social Initiatives Promotion (CSIP).
- Central Vietnam Women's Union (VWU).
- Centre for Promoting Development for Women and Children.
- Research Centre for Gender, Family and Environment in Development.
- Centre for Public Health and Community Development (CEPHAD).
- Research Centre for Public Health Development (CCRD).
- Vietnam Community Mobilization Centre for HIV/AIDS Control (VICOMC).
- Centre for Studies and Applied Sciences in Gender – Family – Women and Adolescents (CSAGA)
- Centre for Health Law and Policy Consultancy, HIV/AIDS (CCLPHH).
- Centre for Technology, Environment and Community Development (RECO).
- Center for Gender, Labour and Society (GLASA).
- Consultative institute for socio-economic development of rural and mountainous areas (CISDOMA).
- Research Centre for Architectural Microclimate.
- Centre for Consultancy and Support for rural poor children (CESPAC).
- Research Institute for Tradition and Development (TaDRI).
- Research Institute for Youth.
- Research Institute for Social Public Opinion.

NHÀ XUẤT BẢN THẾ GIỚI

Trụ sở: 46 Trần Hưng Đạo, Hà Nội, Việt Nam

Tel: (84 - 4) 3 8253841 - Fax: (84 - 4) 3 8269578

Chi nhánh: 7 Nguyễn Thị Minh Khai, Q1, TP. Hồ Chí Minh

Tel: (84 - 8) 3 8220102

Email: thegioi@hn.vnn.vn

Website: www.thegioipublishers.com.vn

BÁO CÁO CỦA CÁC TỔ CHỨC PHI CHÍNH PHỦ VỀ VIỆC THỰC HIỆN CÔNG ƯỚC XÓA BỎ MỌI HÌNH THỨC PHÂN BIỆT ĐỐI XỬ VỚI PHỤ NỮ TẠI VIỆT NAM

Chịu trách nhiệm xuất bản
TRẦN ĐOÀN LÂM

Biên tập: Em Hiền bổ sung nhé
Bìa: CGFED

Sửa bản in: Em Hiền bổ sung nhé
Trình bày: CGFED

In 200 bản, khổ 20,5 x 28cm, tại TT Chế bản và In NXB Thế Giới.
Giấy xác nhận ĐKKH xuất bản số ???? - 2011/CXB/?? - ???/ThG
cấp ngày ??/??/2011. In xong và nộp lưu chiểu Quý IV năm 2011.