



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**  
**Twenty-fifth session**

**Summary record of the 518th meeting**

Held at Headquarters, New York, on Wednesday, 11 July 2001, at 10 a.m.

*Chairperson:* Ms. Manalo (Vice-Chairperson)

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Convention on the Elimination of All Forms of Discrimination against Women  
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*Ms. Manalo, Vice-Chairperson, took the chair.*

*The meeting was called to order at 10.15 a.m.*

**Consideration of the reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women** (*continued*) (CEDAW/C/VNM/2, CEDAW/C/VNM/3-4, CEDAW/PSWG/2001/II/CRP.1/Add.5 and CEDAW/PSWG/2001/II/CRP.2/Add.3)

*Second, third and fourth periodic reports of Viet Nam* (CEDAW/C/VNM/2 and CEDAW/C/VNM/3-4)

1. *At the invitation of the Chairperson, the members of the delegation of Viet Nam took places at the Committee table.*

2. **Ms. Ha Phi Khiết** (Viet Nam) expressed her Government's appreciation for the Committee's efforts to improve the status of women and thereby contribute to greater prosperity and peace in Viet Nam as well as in the world. Viet Nam had been one of the first countries to ratify the Convention and its National Committee for the Advancement of Women (NCFAW), which included representatives from all sectors of society, both public and private, through discussion, the organization of seminars and wide-ranging consultations, worked to promote women's rights and also participated in preparation of the periodic reports. She stressed the importance which her Government attached to full implementation of the Convention and looked forward to the comments and recommendations of the Committee.

3. **Ms. Dinh Thi Minh Huyen** (Viet Nam) said the second (CEDAW/C/VNM/2) and combined third and fourth (CEDAW/C/VNM/3-4) reports covered the period 1986-2000, which had been a time of profound change in Vietnamese society. The "Doi Moi" renewal process, initiated in 1986, focused on the human person and sought to create a socialist-oriented, State-managed multisectoral market economy, based on the rule of law and expanded exchanges and cooperation with other countries. A Strategy for Socio-Economic Stabilization and Development towards the Year 2000 had also been adopted in 1991, with a view to doubling gross domestic product by 2000 as compared to 1990. As a result, the socio-economic crisis had been overcome, the GDP had more than doubled and Viet

Nam had become a major exporter of rice. Progress had also been made in the social sphere, for example in job creation, poverty alleviation, health care, family planning and quality of life. Those achievements had created momentum and favourable conditions for continued implementation of the Convention, although the economic transition had also given rise to problems such as unemployment, rich-poor polarization, drug use and prostitution, which had a negative effect on gender equality.

4. Women's status in society had changed substantially as a result of their equal participation in political, economic, cultural, social and civil affairs. The principle of equality and non-discrimination was enshrined in the Constitution, protected by the legal system and enforced through concrete policies and plans of action. Women had a right to equal pay, social welfare, health care and equal working conditions and were well represented in almost every sector of the national economy. They represented 50.8 per cent of the population and 50.6 of the workforce and the number of full-time female employees had reached 50 per cent in 1997. Women represented 37 per cent of individuals having higher education qualifications and their representation in the workforce ranged from 30 per cent in culture and the arts to 65 per cent in the civil service and 73.4 per cent in education and training.

5. The Decree on Grass-roots Democracy, promulgated in 1998, stipulated that every citizen had the right to participate in the formulation, implementation and monitoring of activities carried out by local and State authorities and Resolution No. 4 of 12 July 1993 stressed the importance of the emancipation of women within the renewal process and the promotion of their participation in the economic, cultural, social and political fields. In 1997, a National Action Plan for the Advancement of Women to the year 2000 had been adopted for the purpose of increasing the representation of women to 30 per cent in elected bodies and 20 per cent at all levels of the administration.

6. Gender equality had been enhanced overall, in particular in the public and political life of the country and Viet Nam ranked 9th in the Inter-Parliamentary Union and 2nd in the Asia-Pacific region in representation of women. Currently, women made up 22.5 per cent of provincial councils, 20.7 per cent of district councils, 16.3 per cent of community councils

and 26.22 per cent of the National Assembly. They also occupied management positions at all levels of government and in regional and international activities.

7. Vietnamese women had equal access to education and the literacy rate for women and girls was 88 per cent. Universal primary education had been realized by 2000 and as many girls as boys attended school at the primary and secondary levels, with increasing numbers of female students at higher levels. Male and female students studied at the same schools and under the same conditions and the total State budget for education had been increasing, reaching 15 per cent in 1997.

8. Women also had equal rights to health care and family planning and greater attention had been given to health care for mothers and children and programmes on primary and reproductive health care. Viet Nam's efforts in the population and family planning field had been recognized by the United Nations in 1999, when it received the Population Award; population growth had decreased to 1.4 per cent in 2000 with the average number of children per woman of reproductive age decreasing to 2.3 in 1999, the maternal death rate dropping to 0.9 per cent in 1999 and women's life expectancy reaching 69.7 years in 1999 as compared to 64.5 for men. In 1997, 95.6 per cent of children were immunized, 5.6 per cent of the budget was allocated to health care and the portion of the budget allocated to family planning had increased to 0.5 per cent.

9. Women enjoyed equal rights under the law. They could execute civil contracts, establish enterprises, manage property and enjoy joint ownership of property with their husbands which would, in principle, be divided equally in case of divorce. They also had equal rights with regard to the use of land for their livelihood. The Nationality Law of 1998 gave them equal rights with regard to naturalization, changing their nationality and deciding their children's nationality. The Law on Marriage and the Family stressed that women were free to marry or not marry and laid down the rights and obligations of husband and wife. The improvement in the economic position of women had also made the family less patriarchal and more of a partnership between the spouses.

10. Viet Nam's development strategy stressed economic growth associated with social progress and justice and investment in social issues currently represented 25-28 per cent of the State budget, with

priority given to poverty alleviation, job creation, social security and other basic social services. A national programme to reduce poverty had targeted women, improving their access to employment and credit, increasing their income and raising their families' standard of living. Government efforts such as the establishment of the Bank for the Poor, investment in poor communes and assistance provided to the Viet Nam Women's Union for the development of income-generating programmes had reduced poverty, in particular for rural women and women from ethnic minorities in remote areas. More than 1.2 million new jobs had been created since 1991, urban unemployment had dropped to 6 per cent in general and 5.5 per cent for women and the poverty rate had dropped to 10 per cent. More than 90 per cent of the population had access to health care and 60 per cent of rural households had access to clean water. The life of the disadvantaged and vulnerable, most of whom were poor women, had been substantially improved.

11. Great progress had been made in incorporating the Convention into the domestic legal framework, creating a solid legal basis and effective institutions for ensuring gender equality and the advancement of women. That process, begun following ratification in 1981, had been accelerated in 1986 to 2000 as part of the renewal policy, one of the main thrusts of which had been to promote the rule of law and perfect the legal system.

12. A record number of laws and regulatory documents had been promulgated with a profound effect on the status of women. The Government had adopted temporary special measures as well as made basic legislative reforms. The Labour Code provided for special treatment for female workers, in particular in cases of pregnancy and maternity and, effective 1 January 2001, the revised Law on Marriage and the Family protected women's rights in the family and marriage and in the case of divorce. The Penal Code prohibited application of the death penalty to pregnant women and women with children under 36 months of age. Numerous other practical policies and measures had been designed to protect the vulnerable in society, most of whom were women, in particular, disadvantaged women and children in rural and ethnic minority areas.

13. Viet Nam had ratified many core United Nations human rights instruments and International Labour Organization (ILO) conventions, including ILO

Conventions No. 100 on equal pay for work of equal value and No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour. In 1993 the National Committee for the Advancement of Women had taken on the task of advising the Prime Minister on gender issues and monitoring the implementation of legislation and policies, as well as educating the public and drafting the periodic reports to the Committee.

14. Ratification and implementation of the Convention had contributed significantly to the promotion of gender equality and the advancement of women and she noted that Viet Nam ranked relatively high on the United Nations Development Programme human development index as well as the gender-related development index. Those achievements were particularly significant given Viet Nam's status as a developing country still dealing with the lingering consequences of a feudal regime, decades of war and low economic development.

15. Despite progress, however, many pressing social issues, such as unemployment, rich-poor polarization, drug use, prostitution, and trafficking in women and traditional gender biases still hindered the advancement of women. More work needed to be done to increase the proportion of women in decision-making and management positions, including in the public sphere, and to raise awareness of the issue of domestic violence. Early retirement for women also often forced women to leave work and affected their chances for promotion, a situation which was under review by the Government.

16. The experience of the past 20 years had shown the importance of coordination between government agencies and authorities, the National Committee and other organizations, in particular the Viet Nam Women's Union, as well as the need for a strong political will and the support of the people in developing sound socio-economic development policies which took into account the immediate and long-term interests of women. Since its founding in 1930, the Communist Party of Viet Nam had made gender equality and the emancipation of women one of the 10 pivotal tasks of the Vietnamese revolution. Vietnamese women had themselves made a tremendous contribution to the "Doi Moi" renewal process and her Government would continue to promote gender equality as part of the 2001-2005 Socio-economic Development Plan. Preparation of the periodic reports

had provided an opportunity to increase public awareness of the Convention, assess progress made and identify challenges and further steps. Accordingly, she looked forward to implementation of the new 2001-2010 National Strategy and the 2001-2005 Five-year Plan on the Advancement of Women, currently under review by the Government.

17. **The Chairperson** praised Viet Nam for its achievements and its delegation's forthrightness, particularly concerning weaknesses in implementing the Convention. The high-level delegation testified to the seriousness with which the State party took the Convention.

18. **Ms. Ferrer Gómez** commended the State party for the depth and breadth of its reports, the frankness and transparency of the information it had provided, its open acknowledgement of the main difficulties it had encountered in implementing the Convention and the Government's political will to attain the objectives of the Convention. On a number of visits to Viet Nam, she had seen firsthand how reforms in favour of women were being carried out and how much had been achieved in the short space of 25 years since the genocidal war imposed on it by the United States of America. She praised the State party's gender awareness activities directed to its leadership and the population at large, with a view to overcoming culturally based stereotypes. It would be very interesting to have additional information on the functioning of the National Committee for the Advancement of Women, its membership and authority, its impact and its coordination of gender mainstreaming activities in the government ministries and other entities.

19. The State party should outline the main aspects of its draft national strategy for the advancement of women for the periods 2001-2010 and 2001-2005, and provide additional details on the Board for Women's Affairs under the Labour Confederation and the role of the Viet Nam Women's Union in promoting women's participation in all areas and at all levels, including in poverty reduction initiatives. She would appreciate more information on the programme designed to help female heads of household launch microenterprises and to provide them with other work and training opportunities. Lastly, it would be useful to have more information on efforts to eliminate ancestral prejudices in the remote and economically disadvantaged highland areas.

20. **Ms. Goonesekere** praised the State party's excellent report, its phenomenal recovery from the anguish of war, and its commitment to international human rights standards. Noting that Viet Nam had been the first Asian country to ratify the Convention on the Rights of the Child and its Optional Protocols, she expressed the hope that it would soon ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women as well.

21. She wished to know whether the State party imposed penalties for the dismissal of women workers in the private sector for health reasons, particularly since it had indicated in its responses to the list of issues that the Labour Code was applicable to the private sector. She also would like to know whether the affirmative action measures being taken in the public sector were being extended to the private sector. The State party should reflect on whether it was sufficient merely to "encourage" the informal sector to adhere to better labour standards, given the increased number of women swelling its ranks during the transition from a regulated to a market economy.

22. She also wished to know whether the State party had taken steps to assess the impact of affirmative action programmes to reduce disparities among ethnic minorities. The efforts to encourage girls to remain in school seemed to be mainly an initiative of the non-governmental sector (e.g., the Youth Union and the Women's Union); she would appreciate information on any parallel State policies to that end.

23. She enquired about penalties for domestic and other forms of violence against women, since the current system of warnings and non-custodial rehabilitation might not be a sufficient deterrent. She also asked whether law enforcement officers were given training in dealing with domestic violence. It would be useful to know whether the State party was contemplating changes in its Law on Marriage and the Family, which did not characterize cruelty and violence as grounds for divorce and did not recognize marital rape. Lastly, she wondered whether child marriages, including forced marriages and marriage by kidnapping, in some of the ethnic communities, were legally recognized under Vietnamese law and whether the State party penalized adults who facilitated such marriages.

24. **Ms. González** echoed other Committee members' praise for the State party's achievements, and its

Government's political will to promote women's rights. As a follow up on the questions posed by Ms. Ferrer Gómez, she enquired whether emphasis was placed on reproductive health education with a view to eliminating stereotyping within the family, particularly in the remote highland areas. Communities where women were stigmatized for giving birth to girls should be sensitized to the fact that there was medical evidence that the male, not the female, was biologically responsible for determining the sex of the child. She stressed the importance of legally distinguishing domestic violence from other forms.

25. **Ms. Abaka** expressed concern at the State party's indirect discrimination in employment by setting the retirement age at 60 years for men, but 55 years for women. That in itself, coupled with the 1993 Land Law, which based the allocation of land on the duration of one's employment, could have a serious impact on female pensioners, particularly in the rural area, where farming the land still had to be done by women in order to support their families. She would appreciate information on the fate of retired women in that position.

26. The State party should explain why the rate of abortion was increasing among young unmarried women, particularly in view of its achievements in the area of family planning and its singling out for the United Nations Population Award in 1999. It would be interesting to hear about any cultural barriers against contraceptive use, particularly among unmarried women, and whether unmarried and married women had equal access to information regarding contraceptives.

27. She would further appreciate information on screening and treatment of cancer, particularly breast and uterine cancer. She asked whether rural women had equal access to cancer screening, information and treatment.

28. Noting the high incidence of human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) among girls between the ages of 15 and 24, she enquired whether men recognized their responsibility in the protection of women's sexual health and whether contraceptive use in Viet Nam included the use of condoms. Statistics on the number of men who used condoms would be helpful, particularly in view of the extremely high rate of infection among sex workers there. Lastly, she

enquired whether the national committee for the prevention of AIDS, which, to its credit, had been founded as early as 1990 had developed special programmes for women.

29. **Ms. Ha Phi Khiet** (Viet Nam), replying to Ms. Ferrer Gómez, drew a distinction between the Viet Nam Women's Union, a mass organization with 11 million members, which worked closely with the Government but enjoyed independent status, and the National Committee for the Advancement of Women, a government advisory body established by the Prime Minister to ensure gender mainstreaming in the various government entities. The Prime Minister had invited — not appointed — the Chairperson of the Viet Nam Women's Union to become Chairperson of the National Committee. Until June, the Committee's 19 members had consisted of one Chairperson, two Vice-Chairpersons and 12 members representing Government ministries and representatives of mass organizations. On 21 June, its membership had been reduced to 15 persons. The National Committee provided input for decision- and policy-making, advised the Government on the coordination of gender mainstreaming and did research on women's issues which was widely accessible. It had branches at the local, and even the village, level.

30. To promote women's participation in all areas of life, Viet Nam had developed a 10-target strategy in response to the one adopted at the International Conference on Women, Beijing, 1995, along with a plan of action up to the year 2000. Following a review of that strategy, the Government had ushered in a new stage in the promotion of Vietnamese women with a two-stage plan of action for 2001-2010. The first plan (2001-2005) set only six targets she undertook to transmit to the Committee following its formal approval by the Prime Minister.

31. Rural women's access to credit was assured by a number of credit and banking schemes, including one run by the Viet Nam Women's Union which had succeeded in reaching 51 per cent of the country's poor women.

32. In connection with gender mainstreaming, she said that, starting with the 1946 Constitution under Ho Chi Minh, the Government and Party through both legislation and special measures, had consistently promoted equality between the sexes in terms of responsibility. Gender-related targets were incorporated

annually into plans for the workforce, education and other sectors. Their implementation within the various government agencies, institutions, provinces and localities was supervised by women's boards. With one third of localities being inspected annually, the Prime Minister and the National Committee on the Advancement of Women gained a full picture every three years on which to base nationwide remedial action.

33. Replying to the question about measures to prevent and punish violations of labour standards, she stressed that the protection and promotion of women working in the private and State sectors was a goal of Viet Nam's Labour Code, which emphasized gender equality and contained a chapter specifically on women. As an incentive for women's participation, special privileges were offered to companies employing more women.

34. Labour unions, within which women's organizations were represented, could petition or meet with management to relay concerns about possible violations of labour standards; in some cases they organized strikes. If the recommendations of reconciliation mechanisms were not accepted, the complainants could appeal to a higher administrative tribunal, or as a final recourse, to a civilian labour court, where female judges, female prosecutors and representatives of women's organizations helped ensure that discrimination was discouraged and violators were punished. Sanctions for violations of safety standards and other laws governing women and children included prison sentences as long as 10 years and fines of up to VND 10 million.

35. Though Viet Nam had been moving towards a market economy for 15 years it was still experiencing setbacks. Women's legitimate rights were not always protected, nor were regulations uniformly enforced. That was of deep concern and the country was committed to making further progress.

36. Replying to the question on ethnic minorities, she said that Viet Nam had 54 ethnic groups, 53 of which accounted for less than 20 per cent of the population. Narrowing the gap between the minority groups and the majority population was central to achieving prosperity and had been a Government priority from the start. Among the remedial measures, minorities benefited from free education, special allowances, and

preference in hiring and promotion, all other things being equal.

37. Disparities also existed between minority groups, many of whom lived in remote or isolated villages. Those gaps were already being reduced and further progress was in the offing; the Prime Minister was to spend VND 400-500 million each on more than 2,000 such villages over the next five years to build schools and roads, install electrification, and improve health facilities.

38. In practice, women from ethnic minorities were disadvantaged compared with men from the same groups. That was an outcome of decades of war and poverty and the persistence of feudal and social stereotypes. However, progress could be seen, even within families, where many men were now aware of the need to share domestic responsibilities and ensure schooling for girls. It was gratifying to see family members of both sexes and all ages sit together and learn at evening classes, for example.

39. The issue of ethnic minority women concerned her personally, as a member of a minority group. Raised in a mountainous area, she had been sent away to school, had returned home and was now a national minister participating in her country's decision-making. She was not the only one. There were many national and local leaders from minority groups working in all sectors and walks of life.

40. With regard to the question of marriages, she said that early and forced marriage, very common 30 years ago, were now rarer but still occurred among ethnic minorities and in underdeveloped areas of the country. They could not be formally contracted; instead, the girl was simply brought into the groom's household. Sometimes an unofficial union of that kind was identified and challenged by Government officials or by the Women's Union, but as a fait accompli it was difficult to remedy. The Penal Code provided for up to two years of imprisonment for child marriage and up to three years for forced marriage.

41. Violence against women was sanctioned in the Law on Marriage and the Family and in the Penal Code. Violence outside the family had become rarer but, for societal reasons, it still occurred in households, especially in the country's delta region. It was not a major problem among ethnic minorities. To help prevent family violence, there were reconciliation groups at the grass-roots level, with participation of

representatives of the Women's Union. The reconciliation group endeavoured to intervene as early as possible.

42. On the subject of her Government's policies concerning domestic violence, she said that gender-related prejudices in Viet Nam were due to old feudal ideologies which were still present in some areas, particularly among the country's 54 minority ethnic groups. Each of those groups had its own customs and traditions, some of which had a negative impact on women's rights. Considerable efforts had been made at the community level, with some measure of success, to educate and inform people especially in mountainous areas regarding modern lifestyles now existing in the country as a whole and the harmful nature of certain traditional practices. A positive environment had been created at the local level in order to encourage the continuance or adoption of those traditions which were positive. "Culture houses" had been set up in thousands of villages and were used for meetings and cultural activities involving people of all ages; they also provided a useful venue for educational activities to influence customs and lifestyles.

43. The country's laws and regulations contained provisions to protect the rights of all members of the family. For example, a provision in the Civil Code stated that if a child's parents belonged to two different ethnic groups, he or she could choose to use the name of either parent, and was not required to make a permanent choice until the age of 18. Training courses in gender issues were available for male Government officials, encouraging them to mainstream those issues in the Government's development targets and in laws and regulations. However, some officials felt uncomfortable about being invited to attend because they believed that they already respected gender equality; however, those courses had proved very useful in identifying those who did not fully understand the concepts involved.

44. In education, it was planned to institute courses on gender equality in the country's universities, administrative and political-science colleges, and other vocational schools. She would appreciate any advice the Committee could provide to overcome the difficulty of persuading people to attend such courses. Similar courses were also planned in primary and secondary education, beginning at the high-school level, because gender awareness was needed at all levels of society. Her Government was aware that

results had so far been limited and gender stereotypes were still widespread.

45. In connection with domestic violence, she said that programmes of advocacy and education had been created to educate people about the law, particularly the provisions concerning women's rights, and law libraries had been set up at the village level with funding provided by the office of the Prime Minister. Much emphasis was placed on the reconciliation approach to family disputes, and the Women's Union, the farmers' union, and many local non-governmental organizations were active in resolving domestic problems and violent incidents had often been prevented, thanks to the efforts of the well-publicized local reconciliation groups. The cultural houses also played a significant role in assuring social harmony and promoting domestic reconciliation efforts. When a case involving the violation of a person's rights had to be brought to court, non-governmental organizations were also active in ensuring that the authorities, including the judiciary and the police, performed their duties speedily and that the rights of the individual were effectively upheld; if not, the enforcement agencies would be held accountable.

46. The Government had designated 28 June as Family Day, emphasizing the importance of the family in Viet Nam and the idea that the family and society were inseparable and in harmony. In the context of Family Day, women's organizations and other non-governmental organizations would organize activities involving people of both sexes, including older persons and children.

47. Responding to a question regarding prosecutions for domestic violence, she said that they called for very severe penalties: during the 18 months from the beginning of 1999 to mid-2000, the Supreme Court had heard 132 cases concerning violence against women or children. Data were available from courts in 18 provinces and cities and for each province, there had been an average of 80 cases relating to domestic violence. The Penal Code now incorporated provisions against all forms of violence. The penalty for forcing someone to commit suicide could be as high as life imprisonment and for inflicting humiliation on a person, it could be from 5 to 12 years. Of course, there were still too many instances of maltreatment of women and children and, in some cases of men by women.

48. The Women's Union and the Government had many family planning policies. The retirement age of 55 for women and 60 for men had been put in place in the days of the command economy, at a time when living conditions were very difficult. The Government had been encountering obstacles to changing those limits despite the fact that it was clearly an example of inequality. She herself, as a member of the National Assembly, and many other women had recommended amending the law relating to the retirement age, but it would be a long and difficult process. Women's organizations had conducted studies and surveys, and the results showed that women would prefer to maintain their retirement age of 55, and some had even asked that the age be lowered, especially those who had physically demanding jobs in sectors such as textiles, forestry, transportation, or road construction. Women also had to make 30 years' worth of contributions to the social security system before they could enjoy benefits. The Government was making every effort to improve the situation, and work was under way to draft amendments to the labour and social security codes. Already, women in managerial, teaching, scientific and other "white-collar" positions were encouraged to continue working until the age of 60.

*The meeting rose at 1 p.m.*