



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

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**Committee on the Elimination of Discrimination
against Women**
Thirty-seventh session

Summary record of the 760th meeting (Chamber B)

Held at Headquarters, New York, on Wednesday, 17 January 2007, at 3 p.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined fifth and sixth periodic reports of Viet Nam (CEDAW/C/VNM/5-6)

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

Articles 7 to 9 (continued)

2. **Ms. Tran Thi Mai Huong** (Viet Nam), referring to article 7, said that the action plan for the implementation of the second phase of the National Strategy for the Advancement of Vietnamese Women to 2010 included such concrete measures as mainstreaming women's issues into human resources development and public administration reform, training a pool of female officials and experts, enhancing the capacity of women in the implementation of the public administration reform and training women for leadership and management positions.

3. With respect to the difference in the maximum age for the first appointment of civil servants (age 55 for men, age 50 for women), it had been proposed to the Prime Minister that the relevant regulation should be amended.

4. **Ms. Gaspard** noted that the Government had clearly demonstrated its willingness to increase women's participation in public decision-making. However, she would appreciate receiving further information on the specific measures that were being implemented to achieve the Government's objectives in that area. She also expressed concern that so few women were being elected at the local level and urged the Government to take specific steps to remedy the situation.

5. **Ms. Tran Thi Mai Huong** (Viet Nam) recalled that the National Strategy for the Advancement of Women contained various concrete measures. The Government had developed a number of policies supporting female personnel training and had approved the establishment of an Institute for Women, which would focus on training female cadres. Furthermore, all government training courses had quotas for female participation.

Articles 10 to 14

6. **Ms. Arocha-Domínguez**, referring to article 10, said that she would appreciate receiving further information regarding the "National Plan of Action on Education for All" for 2003-2015, particularly with regard to women living in rural areas. She noted that female enrolment in schools had not improved during the previous three years and that the proportion of girls enrolled in day-care centres had actually declined. It was surprising that an action plan of such scope had achieved rather meagre results. She would also appreciate receiving information on female enrolment in programmes which were traditionally dominated by males, such as applied sciences and technical education. Finally, she wondered whether there were any special programmes for the incorporation of adult women in alternative education courses.

7. **Ms. Chutikul** wished to know whether the "National Plan of Action on Education for All" contained gender-sensitive teachers' training and parent education programmes, and whether the action plan presented any innovative solutions to providing quality education to ethnic minority and rural women. She underlined the importance of human rights education as a key factor in changing attitudes towards gender equality and stressed that the relevant programmes should be designed to fit the students' age group and level of development.

8. **Ms. Tavares da Silva** commended the Government for its efforts to promote the rights of ethnic minority women. However, she noted that such women continued to suffer the consequences of backward customs and practices and wondered whether the 2002 government decree on the application of the Marriage and Family Law to ethnic minorities had been effective. She was also interested to know whether the National Assembly had adopted the Draft Law on Nationalities and whether the Law on Gender Equality and the National Strategy for the Advancement of Women contained specific measures to address the needs of ethnic minority women.

9. **Ms. Patten** commended the State party's efforts to improve the situation of women in the labour market. However, she wished to know how it planned to address the problem of the very high percentage of women who were not covered by the provisions of the revised Labour Code because they worked in the informal sector, and whether measures were being

taken to help such women enter the formal sector. She would be grateful to know what mechanisms were in place to oversee the application of the revised Labour Code and whether Viet Nam's Labour Inspectorate was provided with adequate resources.

10. The Committee had learned from other sources that women working in certain sectors suffered gross human rights abuses, and she would like to know how the Government was addressing that situation. She wished to know whether the Law on Gender Equality overlapped with the revised Labour Code, and how Viet Nam protected the rights of Vietnamese women working abroad. The State party had indicated in its report that equal pay for equal work was guaranteed, but she wondered why it had not referred also to work of equal value. The wage discrepancies between men and women in Viet Nam were a matter of serious concern. She wished to hear more about measures to ensure that women enjoyed social benefits, any provisions in the Labour Code on sexual harassment in the workplace, and any measures introduced to train women to work in traditionally male-dominated areas.

11. **Ms. Tan** said that, according to information provided by other sources, the number of abortions performed in Viet Nam was considerably higher than the number given in the State party's report. She therefore wished to know the reason for the discrepancy, which age group accounted for the highest number of abortions, what measures were in place to address the situation, and how many women died annually as a result of an abortion. The State party should also provide information about Vietnamese women's views on contraception, and what percentage of abortions were related to trafficking and prostitution.

12. She wondered whether the increased prevalence of HIV/AIDS, especially among injectable-drug users, was due to ineffective information campaigns or a failure to prioritize that particular group. She would also be grateful for information about the incidence of vertical HIV/AIDS transmission and the availability of HIV/AIDS testing and counselling, particularly in remote areas. It was essential to inform children and parents about HIV/AIDS prevention before the age at which children became sexually curious. Lastly, she wished to know how many women had contracted sexually transmitted diseases (STDs), whether STDs affected more females than males, particularly among youths, and whether information about STDs was being effectively conveyed.

13. **Ms. Pham Nguyen Cuong** (Viet Nam) said that the Government worked together with NGOs and international organizations to provide a wide range of vocational training and other programmes aimed at helping women to increase their incomes, improve their families' living standards and make an effective transition from rural to urban environments. Women workers were also protected by workplace safety laws, and foreign companies were required to observe them. However, many provisions of the Labour Code were ineffective in the context of the market economy and would need to be amended in line with the Law on Gender Equity. New legislation would enter into force in July 2007 to protect Vietnamese women working abroad. On average, women earned 40 per cent less than men, partly because they did not possess the same skills and knowledge as men, but also because of their traditional role as homemakers.

14. **Ms. Ha Thi Khiet** (Viet Nam) said that the plight of women from minority groups was a major cause for concern. The Government had introduced preferential measures to assist minorities with their education, including setting up boarding schools, awarding scholarships and providing free university studies. However, because there were many different minority groups, each of which had specific cultural values, it was difficult to introduce legislation that was universally acceptable — hence the difficulties encountered in drafting the law on ethnic minorities. The Government was aware that it must step up its efforts to introduce a law that would reflect the aspirations of all ethnic minorities. However, it was a very complex issue and the necessary resources were lacking. The high rate of abortions and the spread of HIV/AIDS were due in part to the introduction of non-traditional values and liberal lifestyles from outside Viet Nam, as well as the impact of globalization and the market economy. The Government was working together with NGOs to raise awareness of reproductive health issues among young people, but those issues were very sensitive. She welcomed the Committee's advice and criticism, and acknowledged that Viet Nam must make greater efforts to tackle those problems.

15. **Ms. Tran Thi Mai Huong** (Viet Nam), referring to educational issues, said that she would have information sent to the Committee on the recent decline in the number of girls in day care. Primary education as well was not expanding, because, having successfully reduced the size of the country's

population, the Government was trying to keep it stable, with proportionately reduced educational requirements. For both boys and girls, there was a big gap between the education offered in the urban delta areas and in the mountainous rural areas. The total student population was lower in the latter, where only 10 per cent of girls between the ages of 6 and 10 receiving schooling. As for a gender gap in vocational training, the Ministry of Education regulations did not steer girls or boys to particular professions but parents did, and traditionally, girls gravitated towards teaching or health services. Recent statistics showed that in 2001-2002 girls enrolled in scientific and technological fields had risen to 44 per cent overall: to 16 per cent in technology, to 49 per cent in the sciences and to 8 per cent in medicine. The Ministry of Education had, as one of its programmes for the advancement of women, established a programme to eradicate illiteracy among women. It worked with the Women's Union to invest more resources in the rural and mountainous areas.

16. The transmission of HIV/AIDS from mother to child was rising, although the overall rate of AIDS in women stood at 15-16 per cent, rather low compared to other countries. Despite the Government efforts to reduce the numbers, each year 1 million pregnant women with HIV/AIDS were infecting 2,000 newborns.

17. **Mr. Vu Anh Quang** (Viet Nam) observed that, although his Government had already met seven of the Millennium Development Goals, it faced a tough task in abolishing HIV/AIDS and aimed to do so only by 2015.

18. The ratio of women studying international affairs and law was high; in the school of diplomacy in Hanoi, for instance, there were more women than men. The declining number of girls in day care was a problem that stemmed from a deliberate parental preference for having boys, leading to an imbalance in male/female births and creating a situation where the ratio of girls in school would shrink. It was expected, however, that in a few years the ratio would be more equalized. In the schools, human rights education had been introduced up to the secondary school level, and took the form of civics education in the elementary schools.

19. Viet Nam had thus far translated the international conventions it had signed only into Viet and not into the 53 other languages in the country. The Government was, however, helping speakers of the other dialects and languages to develop their own scripts and once

that was done, the conventions would eventually be translated into all languages.

20. To encourage members of ethnic minorities to qualify for the civil service, the Government was taking a number of steps to improve their capabilities and to promote them once in the ranks. The requirement for civil servants to learn a second language, for instance, was waived in their case, and that allowed them to advance more rapidly in the promotion scale.

21. **Ms. Patten**, referring to article 14, asked if the pilot programme to offer voluntary social insurance in a number of rural localities had been evaluated, and if it had been extended to other localities. She would like more specific information on the social benefits available generally to rural women who, according to the report (para. 14.5), lacked a safety net.

22. She would also appreciate more information on anti-poverty programmes and employment schemes that increased the access of extremely poor women to food, and on programmes for the most disadvantaged rural women living in remote areas. She wondered if the Government was trying to give them access to financial services by creating links between banks and innovative lending services that integrated credit with women's programmes and training.

23. Poverty and environmental degradation also went hand in hand, and it would be useful to know how the Government was facilitating the access of rural women to information and education, including education in science, technology and economics that would enhance their skills and opportunities for participating in environmental decisions; and what strategies were in place to increase the proportion of rural women, especially at the grass-roots level, involved in decision-making and planning of natural resource management and environmental protection and conservation programmes.

24. **Ms. Gurnede Shelton** asked the delegation to reconcile the contention in the response to question 19 of the list of issues that Vietnamese labour legislation had eliminated all salary discrimination and that all men and women received equal pay for equal work, with the statement just made that women were paid on the average 40 per cent less than men and the statement in the report (para. 14.1) that female farmers earned only about 73 per cent of what male farmers did. She wondered also if women's earnings had risen or

declined since 2002 and whether the number of female farmer workers and farm owners had risen or declined in recent years.

25. She commended the Government for the work it was doing with young people in seeking to provide ethnic minorities with access to information and resources; but she wondered if older women within the ethnic communities were also being given access to information and assured involvement in community development and planning so that they could be represented and heard.

26. In the report (para. 14.3), the Government described important improvements to infrastructure that had expanded the access of rural women to health care, but outside reports indicated that the health issues of ethnic minorities were not being well addressed and that there was a serious problem with maternal mortality. That raised the question of how the Government's statistics were produced, and whether they actually reflected what was happening on the ground.

27. Returning to the question of land use certificates, she still did not understand if it was mandatory for the names of both spouses to appear on all land use certificates or only on newly issued ones.

28. **Ms. Pham Nguyen Cuong** (Viet Nam) said that in 2006 the National Assembly had passed a law on social instruments. According to that law, which included a chapter on voluntary social instruments, social instruments would also cover families working in the informal sector. It was estimated that 30 million people would participate in the campaign. Before the law came into effect, the guiding documents for its implementation would need to be drawn up.

29. By law, men and women who occupied the same position and had the same skill level must be paid the same. The reason that women's average income was lower than men's was that fewer women than men worked in highly paid fields and in dangerous professions.

30. Fifty-six per cent of the 24 million people working in agriculture were women. She would do her best to obtain updated figures on the percentage of female farm workers and farm owners in the near future. However, she could report that over 30 per cent of the country's farms and companies were owned by women.

31. In 2007, the Government would adopt a national programme on labour safety. As part of that programme, education and training campaigns would be carried out. Training had been enhanced in rural areas and a national labour safety week organized in the south of the country.

32. **Ms. Tran Thi Mai Huong** (Viet Nam) said that, according to the Land Law and the Law on Marriage and Family, land — whether residential or for cultivation — was jointly owned by husband and wife. Under the new legislation, if land was jointly owned, the land use certificate must bear the names of both spouses. The fact that some people had already been issued with the old certificate — which listed only the head of the household — might indeed cause confusion. For that reason, the Government had issued a directive that anyone who needed to have the names on the certificate changed — could file a request with the local authorities. The authorities could not simply reissue all certificates owing to the huge financial and administrative burden that that would imply. The objective was to educate people about the significance of land use certificates and about their rights. They must then decide whether or not to have the names listed on their certificate changed.

33. The environment was among the top three priorities mentioned in the Government's Socio-Economic Development Plan 2006-2010. In that connection, the Government was disseminating information on the environment and asking people to take greater responsibility for its protection. More investment was needed, however. In terms of specific projects already under way, she mentioned the clean water campaign conducted by the Women's Union and the forest protection programme advocated by the Ministry of Agriculture and Rural Development. Plans were also under way to promote the use of clean energy, such as solar energy.

34. Elderly women did indeed face many difficulties. For that reason, they had been included in Government action plans and their views sought and included in national poverty reduction programmes. The local authorities had also been asked to coordinate with such organizations as the Women's Union and associations of the elderly with a view to supporting such women. Because of the system of networks in place in Viet Nam and the Vietnamese people's spirit of helping those in need, the programme had been very effective.

Articles 15 and 16

35. **Ms. Tan** noted that, according to the report, the minimum age of marriage was 20 for men and 18 for women. The fact that in reality the average age of marriage was 26 for men and 22.8 for women was irrelevant. The minimum age should be the same for both sexes, since women who married at an earlier age would not have the same opportunities in terms of further education, employment and career.

36. The report also stated that the many backward customs and practices that continued in mountainous and remote areas would be eliminated with the entry into force of Decree 32/2002/ND-CP on the implementation of the Law on Marriage and Family among ethnic minorities. If that Decree had entered into force, she would like to know if it had made any difference to the de facto situation and what specific and legally enforceable measures it provided.

37. The report also stated that in ethnic minority areas, divorce was usually handled not by law, but by the customs and practices of ethnic minorities. She would be interested to know what was being done to educate ethnic communities, including their leaders, about the rights and obligations of men and women under the Marriage and Family Law and about each spouse's right to initiate a divorce, and how the Government ensured that the Marriage and Family Law was being enforced among such communities.

38. **Ms. Belmihoub-Zerdani** noted that, owing to transportation difficulties, many people in mountainous and remote areas could not register their marriage as stipulated by law. The State party might wish to consider providing for registration through an itinerant authority. Such a system, which had been used in other countries with similar problems, would both enable people living in such areas to register and ensure that the law was implemented.

39. **Ms. Maiolo**, noting that the new land use certificates bore the names of both spouses only if they so requested, wondered if the right of women to private property was really protected by law. According to the State party's responses, many women were unaware of their right to inherit property. Reportedly, many women had also had their land expropriated by the State. In view of that, she wondered whether the information campaign would be sufficient.

40. **Ms. Duong Thi Thanh Mai** (Viet Nam) said that her delegation had taken note of the request for the minimum marriageable age to be made the same for men and women and would ensure that it was conveyed to the Government. The issue would, however, need to be studied in depth. Moreover, Vietnamese citizens were free to choose the age at which they married.

41. Decree 32/2002/ND-CP on the implementation of the Law on Marriage and Family among ethnic minorities respected their customs and traditions, while at the same time ensuring that such minorities were protected by the law. For example, under the Decree an ethnic minority couple could register their marriage at the office of the People's Committee in the commune where they lived or have a legal professional come to their home in order to register their marriage, which encouraged marriage and marriage registration among people living in remote and mountainous areas and enabled them to fulfil their legal obligations. The Ministry of Justice had also conducted a campaign to enable people who had never registered their marriage to do so, thereby ensuring that the rights and interests of the women and children in such families were protected. As a result of that campaign, all married couples in Viet Nam were registered.

42. Lastly, the Law on Marriage and Family, the Penal Code and the Ordinance on Sanctions against Administrative Violations all contained provisions on underage marriage, which was still practised in ethnic communities. In addition, the Government was actively striving to educate people and change attitudes towards the age of marriage.

43. **Ms. Begum** asked whether birth registration was compulsory in Viet Nam and, if so, whether it was the responsibility of local government. She was particularly curious about the situation in rural and mountainous areas.

44. **Ms. Duong Thi Thanh Mai** (Viet Nam) said that birth registration was indeed compulsory, and was the responsibility of the parents. Measures were also in place to assist people living in remote and mountainous areas. From 2002 to 2005, the Government had conducted a national campaign to review and register all unregistered children, which had uncovered many unregistered 10- to 15-year-olds. Their parents had not been punished, but instead offered the chance to

register their children free of charge. The problem of unregistered children had therefore been solved.

45. By law, men and women had an equal right to divorce in Viet Nam. However, a husband could not file for divorce while his wife was pregnant or nursing a child under the age of one. Statistics showed that more than half of divorces in Viet Nam had been filed by the wife.

46. **The Chairperson** expressed her appreciation to the delegation of Viet Nam for their very constructive dialogue.

47. **Ms. Ha Thi Khiet** (Viet Nam) said that the delegation had been honoured to engage in dialogue with the Committee and upon its return to Viet Nam would convey the Committee's comments and recommendations to the Government and publicize them throughout the country. The Government and people of Viet Nam shared the concerns raised by the Committee and were very aware that the country would prosper only when gender inequality and discrimination against women were eliminated. The Government was fully committed to implementing the Convention by improving its legal provisions, programmes and plans and would seek more effective ways of protecting the interests and rights of women. She called on the international community to further assist Viet Nam in its efforts in that regard.

The meeting rose at 5.10 p.m.