



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

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**Committee on the Elimination of Discrimination  
against Women**

**Pre-session working group**

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15 January-2 February 2007

**Responses to the list of issues and questions for  
consideration of the combined fifth and sixth  
periodic reports**

**Viet Nam**



**Question 1:**

According to State regulations, the combined fifth and sixth periodic report on the Implementation Progress of CEDAW was approved by the Prime Minister on January 14th, 2005 prior to its submission to the United Nations.

Article 102 of the Law on Signing, Joining and Implementing International Conventions, ratified by the Vietnamese National Assembly in 2005, stipulates that: “the National Assembly exercises its scrutiny powers by examining reports to the President and the Government on activities relating to signing, joining and implementing international conventions and treaties. As a result, when this law becomes effective on 01/01/2006, all national reports on International Conventions in which Vietnam participates, including the upcoming Report on CEDAW, will henceforth be submitted to both the Government and the National Assembly for approval.

**Question 2:**

- *Rationalization for the low number of administrative prosecutions by women on grounds of gender discrimination in reality*
  - The Administrative Court was established only back in 1996 and is a component of the People’s Court system.
  - Ordinance on Procedures for Administrative Cases issued in 1996 does not stipulate specifically whether or not gender-equality or women’s rights cases are under Administrative Court’s jurisdiction.
  - Prosecution and handling procedures of administrative cases remain complicated. There still exists no effective mechanism to ensure the execution of administrative adjudication.
  - Citizens’ legal knowledge is generally limited and civilians are not acquainted with administrative prosecution. Women also tend to hesitate to take legal action.

- *Information on gender-based discrimination cases brought to court by women:*

There are no separated statistical figures on gender-based discrimination cases prosecuted by women among administrative cases.

- *Administrative or other measures to protect women who are victims of gender discrimination:*
  - Decree no. 113/NĐ –CP issued on 16/04/2004 by the Government stipulates that administrative punishment for the violation of Labour Law involves monetary fine ranging from 1 million to 5 million VND to be imposed on any organisation or individual conducting discriminatory behaviour towards female workers, and/or violating the honour and dignity of female workers, in accordance with the Labour Law.
  - Decree no. 45/2005/N§-CP stipulates administrative punishment with regards to healthcare. The Government imposes monetary fine ranging from 500,000 to 1.5 million VND on those violating guidelines and rules on female workers’ healthcare.

- The Penal Code reserves a particular stipulation on the infringement upon equality rights of women (Article 130) whereby any party through force or other grave action hindering women's participation in political, economic, scientific, cultural and social activities will be given warnings, up to one-year probation, or three-month to one-year imprisonment.
- Carry out reconciliation activities at grassroots level.
- Women's unions, Women's Affairs committees at all levels assume the role of representing and protecting the rights of women/members when those rights are encroached upon. These duties include receiving complaints, co-operating with competent authorities in handling complaints, and monitoring the implementation of women-related law and policies.

### **Question 3:**

- The National Strategy for the Advancement of Vietnamese Women until 2010 has outlined its overall goal and 5 specific objectives with 20 quantitative targets and 9 basic solutions to be implemented by 2010.
- To ensure the effective implementation of the Strategy, the National Committee has devised and launched the Action Plan for the Advancement of Vietnamese Women until 2005 comprising 5 objectives, 20 quantitative targets and 66 implementation measures. Based on the above Action Plan, 45 national-level authorities and 64 out of 64 provinces and cities nationwide formulated their own 2005 Action Plan.

Under the instructions of the Prime Minister, on May 12<sup>th</sup>, 2006, the Ministry of Planning & Investment and the National Committee co-organised the National Conference on Review of the Action Plan until 2005, mid-term preliminary evaluation on the National Strategy and development of its implementation until 2010. Results are as follows:

#### **• Accomplishments:**

- The realization of the 5 objectives laid out in the National Strategy has reaped encouraging results. Eight out of twenty targets were achieved or surpassed, of which the most noticeable are:
  - + The percentage of women among the newly employed: 46.5%, exceeding the target by 6.5%
  - + Working time of female workers in rural areas increased to 80.2% - exceeding the target by 5.2 %
  - + Percentage of women among those with post-graduate education: 30.1% - exceeding the target by 0.1%.
  - + 90% of women gained access to medical services as targeted.
  - + Percentage of women participating in elective offices increased by 2% in comparison with the previous period (see report and data appendices)
- The apparatus for the advancement of women has been essentially consolidated from national to provincial levels, providing a facilitating mechanism for effective integration of gender issues into policy-planning and policy implementation. Gender awareness and efficiency of the apparatus have been significantly elevated.
- The strong suit in implementation of the current Strategy lies in an increased understanding by relevant authorities of their responsibilities to achieve national objectives, and accordingly

efficient implementation measures are actively proposed. Certain ministries, such as the Ministry of Planning and Investment, Ministry of Justice and the Ministry of Labour, War Invalids and Social Affairs have steadily integrated gender issues in their respective specialised work activities.

- At present, the 2006-2010 Action Plan is duly finalised to be officially announced in the near future.

- **Limitations and challenges during implementation:**

- 60% of the Strategy's targets remain unachieved, including those aimed at increasing women's participation in decision-making posts (objective 4) and enhancing the efficiency of the national apparatus for the advancement of women (objective 5).
- The guidance for Strategy implementation remains incomprehensive and close co-ordination among relevant parties is lacking.
- Data collection on gender as well as existing gender-specific data have their limitations.
- Certain gender-based prejudices remain perennial in society and have hindered the realisation of the Strategy, especially in achieving education and political participation objectives.
- The apparatus "for the advancement of women", though consolidated, still lacks efficiency and investment of resources.

- **Monitoring and assessment mechanisms of the Strategy:**

The Prime Minister assigns the National Committee with the task of supervising and promoting implementation of the Strategy. Accordingly, the National Committee has executed its role as follows:

- (a) Organise annual inspection teams to assess implementation of the Action Plan in different provinces, departments and ministries. Since 2002, the National Committee has organised 41 teams to conduct 45 turns of inspection in different departments and ministries and 75 turns of inspection in different provinces. These teams are mandated to find out the advantages, difficulties, shortcomings as well as outcomes achieved in implementation of the Action Plan by different departments. The National Committee is then obligated to collect recommendations submitted by these departments and inspection teams and propose solutions accordingly. The inspection results each year are combined and submitted to the Prime Minister.
- (b) Provide relevant ministries, departments and provinces with instructions to monitor implementation progress of subordinate agencies and localities.

- **Main difficulties and challenges in monitoring and assessing:**

- Limited funds for assessment activities.
- Lack of gender-specific information and data from relevant parties has made systematizing difficult.
- Negligence in supervision and acceleration of implementation of recommendations, hence quality and effectiveness of the monitoring task remain static.

#### **Question 4:**

- *Role:* The National Committee is the counselling body for gender equality and advancement of women. The Committee was established according to the Prime Minister's Decision.

- *Reporting mechanism of the National Committee:* annually, the National Committee submits its report to the Prime Minister on the progress of activities for the advancement of women. If necessary, directors of the National Committee can work directly with the Prime Minister to receive further guidance.
- *Human and financial resources of the National Committee:*
  - Human resources: the National Committee consists of 19 members
    - Chair person: chairperson of Vietnam Women's Union (appointed by the Prime Minister).
    - One standing vice-chairperson
    - Two vice-chairpersons: vice-ministers of the Ministry of Foreign Affairs and Ministry of Education & Training.
    - Fifteen members: vice-ministers or equivalents of 15 national-level ministries and authorities (holding concurrent posts).
    - Eleven member staff assisting the operation of the National Committee Office.
  - Financial resources: funded by the State's annual budget. In the past 5 years, the National Committee's budget has increased continuously. In 2005, its budget increased by more than two-fold in comparison with 2002. In addition to the State's budget, the National Committee has actively called for financial assistance from international organisations for better implementation of its tasks and mandates.
  - Equipment and material facilities: the National Committee has its own seal and proficiently equipped working office.
- *Relationship with the Vietnamese Women's Union:*
  - The Vietnamese Women's Union is the core member of the National Committee
  - The Central Office of the Vietnamese Women's Union assigns staff to assist the National Committee in carrying out administrative functions while ensuring its adequate working conditions.

The above organisational structure formed a close and well-coordinated relationship between the National Committee and the Women's Union. This mechanism produces a direct, complete and timely reflection of women's hopes and aspirations in the course of counselling and implementing gender-equality and women's advancement policies by the State. The recent years' outcomes have showed that the Women's Union has played an important role in implementing the Strategy and Action Plan for the advancement of women.

#### **Question 5:**

- In March 2004, the drafting of the Gender Equality bill was started. On May 31<sup>st</sup>, 2006, the Bill was presented to the ninth session of the 11<sup>th</sup> National Assembly. At present, the Standing Committee of the National Assembly is collecting opinions from the National Assembly delegations. Thereafter, the Bill will be revised and submitted for approval during the tenth session of the National Assembly in October – November 2006.
- *The Gender Equality draft bill currently consists of 6 chapters, 49 articles:*
  - Chapter I: General provisions (8 articles)
  - Chapter II: Gender equality in social and family life (8 articles)
  - Chapter III: Measures ensuring gender equality (7 articles)
  - Chapter IV: Responsibilities of agencies, organisations, families and individuals in implementing and ensuring gender equality (9 articles).

- Chapter V: Inspection, supervision and measures to address violations of gender equality (15 articles).
- Chapter VI: Execution provision (2 articles).

*Following are prominent provisions in the Gender Equality draft bill:*

- Outlined fundamental principles of gender-equality based on the 3 principles of CEDAW.
- Ensure gender equality for candidates to be elected to the National Assembly, the People's Councils and appointed to the leadership and management positions of State agencies and other organizations (Article 9).
- Equal conditions on retirement pension for men and women in the same profession. Women retiring 1-5 years early will not have their pension deducted on ground of premature retirement (Article 11).
- Equal treatment for men and women with regards to age limit, opportunity and access to and enjoyment of educational and training benefits. Officials on education leave accompanied by children under 36 months old are provided with assistance (Article 12).
- Temporary special measures aimed at accelerating gender equality in conformity with the spirit of CEDAW (Article 17).
- Equal participation in housework by men and women (Section 5 Article 16).
- Integration of gender issues in legislation making (Articles 3, 4, 5, 6, 18, 19, 20, 21).
- Dissemination, education, information on gender and gender equality (Article 22).
- Provision on financial resources for gender-equality activities (Article 23).

The initiation of the Law on Gender Equality reflects Vietnam's serious commitment to codifying the fundamental principles and contents of CEDAW into the domestic legal system and national policies.

#### **Question 6:**

- *Program on raising awareness of men and young boys:* Vietnam is yet to develop a specialized program on raising gender awareness and eliminating gender-based prejudices which target men and young boys including those in rural and ethnic minority regions. In order to achieve gender equality, Vietnam has undertaken a great number of activities to gradually raise gender and gender equality awareness for both women and men. However, the participation of men and young boys remains modest.
- *Measures to encourage men and young boys to share housework with women:*
  - Widespread dissemination of legal knowledge, including the Law on Marriage and Family and other legal documents concerning gender-equality in families.
  - The Women's Union launched the "Building prosperous, equitable, progressive and happy families" campaign which became widely popular. The Union also published in mass numbers the picture-book "Housework shared in the family" and printed posters carrying the message "Let's share the housework".
  - Many agencies and localities have organised seminars on "The role of fathers in parenting", held "Civilised and happy families" contests, created "Being good husband and father" clubs. All these activities have encouraged men to participate therein.
  - Announced survey results on men and women's working time.

- Gradually refine the legal framework on gender-equality which addresses men's responsibilities for doing housework.

#### **Question 7:**

- *Measures taken to eliminate barriers of entry to the labour market for women and assistance towards family-work responsibilities*
  - Increase the rate of women who study, especially at university and post-graduate levels.
  - Set up "Le Thi Rieng" vocational school for women. Establish vocational centres/job agencies in North, Central and South of Vietnam. Organise vocational training in villages in the manner of craft teaching.
  - Linking vocational centres with enterprises for employment opportunities. Some localities have held "Job Festival Day". This is a good chance for both men and women to enter the job market.
  - The Women's Union signed a co-operation program with the General Department of Vocational Training to increase vocational teaching for disabled women and women in regions short of productive land.
  - The Government approved of the Women's Assistance Fund.
  - Praise businesses and enterprises employing large numbers of women.
  - Expand economic sectors, especially the private economic sector and export-processing zones which attract a large number of female workers.
  - Improve information networks on the labour market, facilitating women to gain access to and select jobs which match their capabilities and expectations.
  - Raise the quantity and quality of public and private system of kindergartens and nursery schools.
  - Develop networks of supermarkets, processed-food stores, and household services to help with housework.
  - Women's Unions, Women's Affairs committees provide, in various ways, dissemination, promotion and guidance for women on ensuring the balance between work and family.
- *Effects of the above measures:*

Generally speaking, the above measures have facilitated access by women to the job market and helped men and women gain a better balance between work and family responsibilities.

#### **Question 8:**

- Presently, Vietnam has no national statistical figures on violence against women. Although denounced by society, violence against women still prevails. The situation on women and children trafficking remains complicated (see answer to question 10 for further information). There still exist child rapes and sexual abuses although many cases were severely punished by the law.

- Regarding domestic violence, research conducted in eight provinces and involving 2000 interviewees by the Social Affairs Committee of the National Assembly in 2006 has shown the following:
  - 2.3% of families experience physical violence (beating)
  - 25% of families experience emotional abuse
  - 30% of couples experience sexual abuse (including sexual coercion, prevention of abortion, forced pregnancy).
  - The research also showed that there is little difference between regions and areas when it comes to domestic violence.

The direct factor leading to domestic violence primarily concerns alcoholism (60-70% of cases). Other factors include low-levels of education, lack of legal knowledge, economic difficulties, extra-marital affairs etc.

- According to the 2005 report by the General Statistics Office, statistical data on violence against women have not been collected due to lack of a periodic reporting mechanism by relevant authorities. Currently the following statistics are collected:
  - Marriage and family cases
  - Child abuses and gender-specific abusers
  - Women practising prostitution under official records who are given access to education, training and medical treatment.
  - Newly discovered cases of prostitution workers.
  - Trials of cases related to women and children trafficking.

The data collected only reflects in part trends of violence as data collection and analysis in Vietnam remain limited.

- The Vietnamese National Assembly is working on the formulation of “Law against domestic violence”. This bill is drafted based on the following principles: institutionalising the Party’s guidelines on family issues, clarifying the State’s management role in prevention of domestic violence; attaching great importance to preventive measures of severe domestic violence, guaranteeing human rights especially for those in vulnerable positions such as children, women and elders; respecting civil rights while dealing with domestic violence acts. This draft is expected to be submitted to the National Assembly for debate by the Committee on Social Affairs at the end of 2006 and adopted in 2007. There is sufficient ground to be confident that the formulation and enactment of laws and policies against domestic violence will witness great improvements.

**Question 9:**

- Following recommendations by the Committee from the previous discussion session, more attention has been attached to raising the awareness of violence against women, especially that of officers and officials working in the police force, border guard, judiciary branch, local authorities and unions. Emphasis is placed on prevention and prohibition of women trafficking, prostitution, women and children sexual abuse, in particular regions of high risk, urban and rural areas with high rates of trafficked women and children. However, an official specific training program for officers/officials from the above groups and authorities has not been designed yet. The dissemination and promotion of public awareness of violence against women have primarily relied on propaganda campaigns carried out locally by mass organisations such as: the Women’s Union, the National Union of Farmers, the Fatherland Front etc.
- In particular, the Vietnamese Women’s Union has given instructions and taken a great many actions as follows:
  - Promulgate resolutions on issues concerning women and young girls including resolutions against women and children trafficking, against domestic violence.
  - Organise training sessions, seminars, campaigns to increase the awareness of justice workers, for example those working at all-level departments of Justice, Prosecution and Courts as well as local authorities.
  - Publish and circulate brochures, leaflets, posters e.g. “How to build prosperous, equitable, progressive and happy families”; publish “Handbook on gender equality” and leaflets on “Law against domestic violence, against women and children trafficking”.
  - Co-operate with Ministry of Police to compile the manual “Instructions to tackle domestic violence in the community”.
  - Give written warnings to families and parents to take better care of their children to reduce the risk of children being exposed to sexual abuse.

**Question 10:**

- *Updated information on the situation of trafficking in women and young girls:*
  - Currently, many women in rural areas have been trafficked by means of deception to foreign countries by illegal matchmakers through sophisticated tricks. Victims are primarily women aged from 18 to 35 years old living in rural, mountainous areas with low education, having little access to information, no stable jobs and facing financial difficulties.

- *Cases that were prosecuted and tried :*

From 1998 to 2004, authorities prosecuted 1,460 cases, involving 2,519 defendants. In 2005 and the first 6 months of 2006 alone, 223 cases were prosecuted with 340 defendants, while 161 cases were tried in the first instance court with 289 defendants. Thousands of women and children as victims were rescued and returned home. Several large scale rings of cross-border trafficking in women and children were wiped out.

- *Actions taken to protect victims who are trafficked to other countries :*
  - Modifying, supplementing, and refining legal documents relating to trafficking in women and children to protect the interests of the exploited victims.
  - Organizing check-ups for exploited persons returning from other countries at border gates/posts.
  - Receiving and helping trafficked women and children reintegrate, providing job training, work placements for these persons as compatible to the practical conditions of each locality.
  - Arranging for the returning women to participate in the activities of the Vietnam Women's Unions at all levels; acting as guarantor for these persons to borrow on credit capital from local funds, especially from Funds for Poor Women.
- *Concrete measures to resolve trafficking in women for the purpose of marriage coercion or marriage frauds :*
  - *Legislation :* the following documents were promulgated and implemented :
    - + Instruction No. 03/CT-TTg issued by the Prime Minister, dated 25/2/2005, on strengthening State control over marriage and family relationships with foreign elements.
    - + Decree No. 69/ND-CP, issued by the Government, dated 21/7/2006, which modified, supplemented several provisions of Decree No.68/ND-CP, specifies details for the implementation of several provisions of the Law on Marriage and Family concerning marriage and family relationships with foreign elements, which strictly spells out qualifications for marrying foreigners.
    - + Decree no. 150/2005/ND-CP on administrative punishment relating to social order and security stipulates monetary fine of 1 million VND to 2 million VND imposed on anyone committing any of the following acts: damaging or hiring another party to damage the health and safety of others (including women); matchmaking, broking, facilitating marriages with foreigners which go against traditional values and morals or are inconsistent with relevant regulations of the law, adversely affecting security and order.
  - *Current activities :*
    - + Examining the implementation of the Law on Marriage and Family with foreign elements based on which a draft revising the Law on Marriage and Family on spousal relationships with foreign elements will be formulated.
    - + Signing agreements to protect the legal rights and interests of Vietnamese citizens in spousal relationships with foreigners.
    - + Setting up counselling centres on marriage with foreigners in key areas, thus helping ensure that marriages between Vietnamese citizens and foreigners are carried out in a legal and wholesome manner. Building a propaganda and reporting team in such areas.
    - + Effectively implementing projects relating to the prevention and combat against trafficking in women and children, under the National Action Plan on prevention and combat against trafficking in women and children.

- *The Vietnamese Government has signed agreements with relevant countries on the prevention and combat against trafficking in women and children, namely :*
  - Joint declaration on the co-operation and fight against illegal immigration and trafficking in women, children between Vietnam and Australia ;
  - Agreement between the Governments of Vietnam and China on criminal prevention and combat and maintaining social order ;
  - Agreement on mutual legal assistance in civil and criminal matters between the Governments of Vietnam and China ;
  - Agreement on the co-operation mechanism between the Ministries of Public Security of Vietnam and China ;
  - Agreement between the Government of Vietnam and Cambodia on the bilateral co-operation to suppress human trafficking and assist trafficking victims ;
  - Agreement between the Ministries of Interior of Vietnam and Cambodia on the co-operation in combating criminals.
  - Agreement between the Government of Vietnam and Myanmar on cooperation in the prevention and fight against criminals.

**Question 11:**

- *Current measures to prevent the trafficking in women and young girls*
  - Legislation: the following documents are issued and implemented :
    - + Decision No. 130/2004/QD-TTg issued by the Prime Minister, dated 14/7/2004 approving the 2004-2010 Action Plan for the Prevention and Suppression of Trafficking in Women and Young Girls.
    - + Decision No. 312/2005/QD-TTg issued by Prime Minister, dated 30/11/2005, on approval of plans on prevention of women and children trafficking, including : Plan for propagating and educating the community on the Prevention and Suppression of Women and Children Trafficking implemented by the Vietnam Women's Union; Plan to Fight Against Women and Children Traffickers, implemented by the Ministry of Public Security and the High Command of Border Guards; Plan for Developing and Completing the legal document system relating to the prevention and fight against women and children traffickers, implemented by the Ministry of Justice.
    - + Resolution No. 07/NQ-TW, dated 29/12/2004, issued by the executive board of Vietnam Women's Union on social issues relating to Women and Girl Children.

- *Currently implemented activities, including various programs, to uproot this vice :*

- + Stimulating economic growth, eradicating hunger and poverty, enhancing living standards for the people, both economically and spiritually.
- + Propagating on mass medias to promote public awareness, particularly women's and children's, of the tricks used by traffickers as well as the cause and consequences of human trafficking, and at the same time, equip them with preventive measures.
- + Carrying out preventive measures against women and children traffickers in key regions; implementing comprehensively preventive measures, exterminations of smuggling rings.
- + Integrating preventive activities against women and children traffickers into programs on combating social vices, hunger eradication, poverty alleviation, credit assistance, vocational training and job placement for the victims and high-risk groups potentially exposed to social vices.
- + Strictly punishing the defendants found guilty in women and children trafficking cases.

**Question 12:**

- ***Measures to enhance the participation of women in the Government's executive bodies***
  - The guideline of "Providing further training so that women can increasingly hold management, leadership positions" is highlighted in important documents of the Party and the State and in the 2006-2010 Socio-Economic Development Plan.
  - Enhancing the awareness of gender equality and female cadre activities for the contingent of leaders, management staff and other officials in all executive bodies through communication and trainings.
  - Constructing female-staff planning. The planning of female officials/staff is adhered to schemes for training, utilizing and promoting female officials.
  - Increasing the number of female officials, civil servants by determining ratios and recruitment policies that ensure equality between men and women.
  - Organizing training programs for female officials
  - Establishing, supplementing and completing policies to facilitate the development of female officials and civil servants

- *Updated figures on the ratio of female leaders in executive bodies*

No.	Position	Total	Female	
			Quantity	Ratio
<b>Ministries, Ministry equivalents</b>				
1	Minister	25	3	12%
2	Deputy Minister	113	10	9%
3	Department Director General	442	26	6%
4	Deputy Director	967	138	14%
6	Head of division	451	114	25%
7	Deputy Head of Division	533	175	33%
<b>Provincial People's Committee and equivalents</b>				
1	Chairman	62	2	3,2%
2	Vice Chairman	190	32	16,8%
<b>District People's Committee and equivalents</b>				
1	Chairman	689	26	3,7%
2	Vice Chairman	1472	205	13,9%

### Question 13:

- *Currently employed measures to increase the participation of women in Committees of the National Assembly:*

The term for the tenth National Assembly started in 2002 and will end in 2007. Therefore, the number of representatives (both male and female) in the National Assembly as well as its Committees remains unchanged throughout the term.

To increase the ratio of women participating in the National Assembly's Committees for the next term, the concerned authorities will focus on the following solutions:

- Striving to obtain a 30% rate of females in the Eleventh Session of the National Assembly through the election held in 2007, as predetermined in the National Strategy for the advancement of Vietnamese women to 2010, by setting up a ratio of female candidates, organizing training courses and electoral campaigns for them.
- Propagating, campaigning and raising the gender awareness of the National Assembly and its authoritative bodies, especially the department of organization and personnel.
- Proposing to the National Assembly the issue of balancing the ratio of female and male representatives in the Committees of the National Assembly for the eleventh session, especially in the legislative, economic and budget areas.

**Question 14:**

- *The 2003-2015 National Action Plan on education for the public, approved by the Prime Minister in Official Document No. 872/CP-KG, dated 2/7/2003, is aimed to attain the following 5 strategic goals:*
  - To shift from quantity to quality and suitability.
  - Complete universalization of primary and secondary education
  - To provide continuing study opportunities.
  - To mobilize the full participation of the society – Everyone for education
  - To manage and utilize the human resource more effectively than ever.
- *Concrete goals:*
  1. Pre-school education
    - All children within 0-5 years of age enjoy pre-school education.
    - Every child aged 5 is eligible for 1 year of quality preschool education in preparation for primary school.
    - Improving the education quality to enhance the child's comprehensive development.
    - Composing a national policy emphasizing on quality and affordable pre-school education.
    - Strengthening the capacity of pre-school education management at local level.
  2. Primary education
    - Every child can have access to quality and affordable primary education.
    - Every child complete 5 grades of primary education
    - High quality education with good results
    - Strengthening management at all levels.
    - Reforming and developing basic education.
  3. Secondary education
    - Guaranteeing access to quality and affordable secondary education.
    - Every child completes 4 grades of secondary school.
    - High quality and suitability.
    - Strengthening management at all levels
    - Reforming and developing basic education.
  4. Non-formal education
    - Creating basic education opportunities for illiterate teenagers and young adults.
    - Eradicating illiteracy, and providing life skills and continuing study opportunities for adults.
    - Improving the quality and suitability of all informal educational programs.
    - Composing a suitable national strategy on informal education and continuing study programs
    - Strengthening local level management.

- *Implementing measures*

- (a) Pre-school education

- Expanding and improving the quality of teachers and management officials.
- Renovating the programs, contents and methods of education
- Building and completing the planning of networks, increasing investments into pre-school material facilities in a standardized manner.
- Supplementing, improving regulations and policies, as well as socializing pre-school education.

- (b) Primary education

- Consolidating the results of primary education universalization and illiteracy eradication.
- Universalizing primary education at the right ages.
- Reinforcing the task of directing, inspecting and examining.
- Constructing and evaluating primary schools according to the national standard.

- (c) Secondary education:

- Renovating methods of teaching and evaluation of students.
- Strengthening the school networks, building schools of national standard, universalizing secondary education.
- Expanding and improving the quality of teachers and management officials.
- Solidifying, standardizing and modernizing schools' material facilities
- Intensifying the socialization of education.
- Improving education management; reinforcing order and discipline, regulations; preventing and dealing with negative behaviours in education.

- (d) Informal education

- Strengthening and developing the network of informal education facilities, improving the teaching and learning conditions.
- Consolidating the results of illiteracy eradication and universalization of primary education.
- Continuing to develop and improve supplementary classes at secondary school level.
- Further promoting the teaching and updating of knowledge and life skills to meet the demand of the learners in Community Learning Centers

- *Achievements*

1. Pre-school Education (the number of children attending nursery schools)

School year	Nursery school		Kindergarten	
	Total	Girls	Total	Girls
2003 - 2004	413.784	196.581 (47,5%)	2.172.899	1.054.398 (48,5%)
2004 - 2005	421.436	197.257 (46,8%)	2.332.658	1.092.598 (46,8%)
2005 - 2006	513.423	212.268 (41,3%)	2.511.239	1.092.780 (43,5%)

2. Primary and secondary education

School year	Primary education		Secondary education	
	Total	Girls	Total	Girls
2003 - 2004	8.350.191	3.951.439 (47,3%)	6.612.099	3.157.758 (47,7%)
2004 - 2005	7.773.484	3.690.563 (47,4%)	6.670.714	3.193.221 (47,8%)
2005 - 2006	7.321.739	3.505.626 (47,8%)	6.458.518	3.100.259 (48%)

The rate of young girls attending schools, though somewhat lower than that of young boys, remains stable at each education level. However, gender-specific statistics on non-formal education are not found.

**Question 15:**

- According to Vietnam Gender Statistical Data in the first few years of the 21<sup>st</sup> Century, the rates of female graduates compared to that of male graduates at each level are as follows:

<i>Level</i>	<i>School year of 2001-2002</i>		<i>School year of 2002-2003</i>		<i>School year of 2003-2004</i>	
	Male	Female	Male	Female	Male	Female
Primary Education	99,44	99,43	99,55	99,62	99,80	99,83
Secondary Education	96,52	97,20	95,98	96,54	96,00	95,64
High School	91,69	87,81	92,10	92,16	90,89	92,30

- In general, the graduation rates of female students are similar to and seem to increase faster than that of male students, especially at high school level.

**Question 16:**

- Studies conducted in a number of regions by the Research Center for Ethnic Education show that the rates of young ethnic girls attending school changed positively. In the school year of 2005-2006, 142,599 young girls out of 306,841 ethnic students enrolled for the 1st grade (46.4%); 126,523 young girls out of 274,723 ethnic students enrolled for the 5th grade (46.05%).

- Measures implemented to ensure equal access by young ethnic girls to education:
  - Using projects and sub-projects to conduct investigations, surveys; setting up action plans, compiling materials relevant to young girls education, organizing gender training courses for teachers, students and communities; propagating to enhance public awareness of education for young girls, sponsoring the construction of education centres for young girls.
  - Giving priority to developing education facilities in ethnic and remote areas. Maintaining and expanding the system of boarding schools for ethnic groups and establishing a system of communal and regional (district) boarding schools to encourage poor families to send their children to school.
  - Encouraging women and young girls in ethnic and remote areas to attend schools. Increasing the rates of female students in boarding schools for ethnic groups.
  - Continuing to improve regulations and policies on equal access to education, especially access to primary and secondary education for children of families living in rural and poor areas, of ethnic minorities, ensuring gender-equality and enhancing young girls' opportunities of access to education.
  - Set up exemption policies, full package support schemes (with regards to tuition, textbooks, school construction fees, accommodation, travel...) for students from poor households in primary education, especially ethnic minority students.
- Ethnic minority young girls belong to the top priority group in the 2003-2015 National Action Plan on education for everybody, namely: “(1) to provide access to quality and affordable primary education for all children, especially ethnic minority children, disadvantaged children and young girls; (2) to ensure that every child completes 5 grades of primary education”.

#### **Question 17:**

- The Government attaches great importance to education on family planning and gender. Since 1989, this issue has been officially integrated into a number of subjects in education programs from primary to high school level for both female and male students.
- Sponsored by UNFPA, information on family planning and gender education is conveyed to young adults through the following activities:
  - Developing experimental contents on population education and gender education by integrating these subjects into several lectures in high school and pilot teaching in 17 provinces and cities throughout the country.
  - Compiling the first series of programs incorporating 5 basic topics of population education: Demography, Environment, Family, Gender and Nutrition. These topics are integrated into 5 subjects in primary schools (Mathematics, Vietnamese, Nature and Society, Ethics and Health Education) and 3 subjects in secondary and high schools (Geography, Biology and Civics).

In addition, manuals on teaching methods and training for teachers are also developed to help improve teachers' lecturing capacity.

  - Since 1998, population education has taken one step further following the introduction of new topics concerning reproductive healthcare for adolescents.

- Up to this moment, the topics on gender and population/reproductive healthcare which were integrated into education programs are: the relationships between population growth and other factors, family scale, immigration and urbanization, nutrition, reproduction and contraception, the development of adolescents, pregnancy at the ages of 13-19 and abortion issues, gender issues, sexually transmitted diseases, drug abuse, environment protection, and policies on population and family planning.

**Question 18:**

To protect the health, reproductive and nursing function of female workers, based on working conditions of each profession, on 28/01/1994, the Ministry of Labour, War Invalids and Social Affairs and the Health Ministry issued an inter-ministerial circular No. 03/TT-LD identifying working areas and harmful working conditions in which use of female labour is not allowed, namely:

- 8 harmful working conditions in which female labour cannot be used: places where air pressure is higher than atmospheric pressure; inside pits; high and dangerous places; places not suitable for women's mentality and psychology; work constantly done in water or contaminated water with high risks of infection; exhausting labour (average energy consumption over 5 Kcal/min, average heartbeat rate over 120/min); in contact with radioactive substances; and, in direct contact with chemicals which can alter gene structure.
- 5 harmful working conditions in which pregnant or breast-feeding female workers (i.e. mothers of babies under 12 months) and juvenile female labour cannot be used: in contact with electromagnetic field exceeding allowed limit; in direct contact with chemicals the accumulation of which inside the human body are harmful to the cell transformation and easily result in miscarriages, premature deliveries, placenta infections, birth defects, adversely affected breast milk, respiratory infections; workplace temperature is 45 Celsius degree or higher during summer and 40 Celsius degree or higher during winter, or under excessive heat radiation; environments where the amplitude of vibration is higher than allowed; inflexible or oxygen-short working positions.
- The circular also attached a list of 83 occupations in which use of female labour, pregnant or breast-feeding (i.e. mothers of babies under 12 months) female workers and juvenile female labour, is not allowed.

In the near future, the Ministry of Labour, War Invalids and Social Affairs will co-operate with other ministries and branches to check and modify the aforementioned list to match current conditions.

**Question 19:**

- *Some information on the average salary paid for women and men:*

Vietnam's legal system recognizes no distinction between male and female workers regarding the salary policy, namely:

- Article 111 – Law of Labour (amended in 2002): the employer must comply with the principle of equality between men and women in the recruitment, utilization, salary payment of and salary promotion for their employees.

- Government Decree No. 114/2002/NĐ – CP issued on December 31<sup>st</sup>, 2002 and Decree No. 205/2004/NĐ – CP issued on December 14<sup>th</sup>, 2004 and other instructive documents stipulate: the payroll and salary policy for workers must be based on merits of the works with no distinction on the ground of sex. The Decree also sets up 2 salary promotion systems and 20 pay – list systems applied equally to workers of both sexes in state – owned enterprises. Non state – owned enterprises can establish their own salary promotion and payroll based on the same principle of gender equality, as recognised in the above Decree No.114/2002 and the Decree No. 02/2006 NĐ – CP issued Feb, 1<sup>st</sup>, 2006.
- *The distinction between salaries of men and women of the same seniority and responsibility in each working sector:*  
As mentioned above, there is no case in which men and women doing work of equal value with the same seniority and responsibility are paid different salaries.

### **Question 20:**

The Vietnamese culture has been under the strong influence of Feudal Confucianism for centuries. Thus, traditional Vietnamese women are always mindful of their subtle manner and dignity in all places. In return, these virtues are highly respected and appreciated by their male colleagues.

In Vietnam, sexual harassment has yet to become an alarming issue. Presently, there is no law or administrative documents spelling out a precise definition of “sexual harassment”. Likewise, thorough study on the same topic is yet to be conducted.

In reality, there are a number of cases of sexual harassment in the workplace though. However, the female victims in those cases, affected by traditional thinking, tend to endure in secrecy or turn to the local Trade Union or Women’s Affairs Committee for protection. They only choose to file a lawsuit as the last resort when the harassment becomes severe.

Vietnamese laws have similar regulations applicable to acts of sexual harassment in the workplace, in particular:

- Term 1 Article 111, Vietnamese Labour Code: any act by an employer that damages women’s honour and dignity is strictly prohibited.
- The Penal Code of Vietnam has one chapter with 30 articles focusing on the crimes concerning damage of human life, health, honour and dignity. Especially, Article 121 stipulates: “Those who gravely damage another person’s honour and dignity are subject to official warning, non-custodial reeducation up to 2 years or imprisonment from 3 months to 2 years. Those who abuse their official positions and responsibilities to treat another person in a degrading manner is subject to imprisonment from 1 to 3 years”.

### **Question 21:**

*The employment scale of women working in unregularized sections:*

According to the Living Standards Survey 2005 by the Vietnam’s General Statistic Office (GSO), there are about 41 million labourers working in unregularized sections in Vietnam, of which 60% are women. The majority of women working in unregularized sections are workers of micro-size

enterprises, self-employed workers, household service workers, immigrant workers, contract-based workers, etc.

The working conditions of female labourers in unregularized sections:

- Usually, most of the female labourers in these sections are not employed on a written contract basis but by verbal agreements instead, and the contracts' term is often less than 3 years.
- An unregularized labourer works on average 28.2 days a month. Micro-size business owners work 9.3 hours to 9.96 hours a day; employees 8.48 to 8.97 hours per day. They enjoy very few holidays throughout the year.
- Aside from those having home space to run their businesses or hiring permanent stalls in the market, most of the unregularized workers have unstable working places. Working tools for unregularized female workers are usually out of date. Likewise, other sanitary and safety conditions are not ensured.
- In unregularized sections, the average income of female labourers is merely 74% of that of their male colleagues and also highly unstable, thus insufficient for their families; 41% of them have to do more than one job and 37% are under-employed.
- Most of the unregularized female workers do not have access to insurance system and hence are not protected. They cannot take long sick-leaves (on average only 4 days a year) and neither enjoy any maternity policy nor get paid for maternal services.

Measures to help improve the economic power of female workers in unregularized sections:

**- Legal measures:**

+ Vietnam's Labour Code 1994 (Amended on 2002) reads: "Every activity unprohibited by the law that generates income is officially recognized as a job". On this definition, Vietnamese women working in unregularized sections are respected, in legal terms, and their labour rights are guaranteed. Chapter 10<sup>th</sup> of the Labour Code dealing particularly with the rights of female labourers also creates a legal framework for women who join the labour market to actively promote their capacity and protects their labour rights.

+ The Draft Bill on Gender Equality, which is expected to be adopted in the coming time, includes measures to promote gender equality in the economic field. Enterprises that employ a large proportion of female workers will enjoy preferential tax schemes and financial concessions; female labourers in rural areas are legally offered preferential loans to promote agriculture, aquaculture and forestry. The Draft Bill also regulates that poor women (without insurance) are offered assistance from the Government when they give birth in accordance with the national population policy.

**- Other measures:**

+ Financial aids for labourers in unregularized sections via the banking system with the involvement of social organizations such as the Women's Unions at all levels.

+ Implementation of the National Focus Program on Employment and other programs on Poverty Eradication and Hunger Alleviation through loans granting to create jobs.

+ Implementation of small and medium enterprises (SMEs) development programs, training women on business skills and knowledge.

+ Development of traditional handicraft production in localities, especially in villages; promotion of commercial production in rural areas and agricultural sections.

**Question 22:**

Vietnam's National Strategy on prevention and control of HIV/AIDS approved by the Prime Minister on March, 17<sup>th</sup>, 2004 under Decision No. 36/2004/QĐ-TTg, contains 9 action plans. The 6<sup>th</sup> Action Plan of the Strategy which is a preventive program focusing on Mother – to – Child – Transmission (MTMT) is directly involved with issues of women, particularly those in reproductive age. Accordingly, these following measures are adopted:

- Raising the awareness of women in reproductive age of the risks of HIV infection and MTMT.
- Boosting education and information sessions of HIV MTMT prevention, especially among women of reproductive age and in vulnerable conditions..., integrating these activities into safe birth and reproductive health education, fostering communicative activities through the networks of social organizations such as the Women's Union and the Youth Union.
- Boosting the consulting and supporting services for women with active participation of relevant agencies such as the Women's Union and Youth Union.
- Further supplying obstetrics centres with necessary equipment, medicines and enhancing their personnel capacity; ensuring adequate health care services for women who need intensive consultancy, care and assistance.

Statistics dated to June, 30<sup>th</sup>, 2006 shows that there have been 109,989 HIV-infected cases nationwide, of which AIDS cases amount to 18,581 and the death toll is 10,785. The infection and mortality rate, categorised by gender is as follows:

Cases	Rates			Women within 15 – 49 age range
	Women	Men	Total	
HIV infected	15.21%	84.79%	100%	93.2%
AIDS	16.23%	83.87%	100%	89.85%
Death	15.12%	84.88%	100%	92.97%

Among 109,989 HIV cases, 2.54% are of female prostitutes. MTMT rate is 1.08%.

Annual statistics in 40 provinces and cities showed that HIV cases among pregnant women account for 0.24% in 2003 and 0.37% in 2005. HIV cases among female prostitutes reduced from 3.76% in 2003 to 3.53% in 2005.

Statistics from the Ministry of Health show that from September 2005 to August, 15<sup>th</sup>, 2006, ARV (Anti-Retroviral) treatment for HIV/AIDS among adults has reached 4,861 doses. The number of MTMT preventive doses and doses for treatment among children are 1,385 and 669, respectively. In general, the number of doses falls short of meeting practical demand.

Vietnam's National Strategy on prevention and control of HIV/AIDS, along with other projects of the same field, have assisted provinces and cities throughout the country with facilities and personnel to set up 200 Volunteer Consultancy and Testing Centers (VCTs). In addition, centres of gynaecology and obstetrics, particularly at the national and provincial levels, have been conducting VCT activities for pregnant women who need examination and/or treatment for sexually transmitted diseases. Moreover, the Ministry of Health, in cooperation with the mass media, also launched campaigns to prevent discrimination against HIV/AIDS patients.

**Question 23:**

Vietnam is among countries with high rates of abortion, particularly at the beginning of the 1990s. Since 1996, the number of abortion cases has reduced remarkably. In Vietnam, fundamental and long – term measures to limit unwanted pregnancy are taken as below:

**Preventive Measures level 1:**

- Diversify methods of birth control to provide more options, thus raising the usage rates of modern birth control methods, replacing traditional and less effective methods.
- Provide greater access to customers and improve the quality of family planning services to better meet the demands of customers.

**Preventive Measures level 2:**

- Popularize widely and offer emergency birth control methods, particularly emergency contraception pills, in case regular methods fail or after unprotected sexual intercourse.
- When all preventive measures fail, women can access safe abortion services. These services are ensured of good quality with consultancy prior to, during and after the operation, adoption of anti – bacterial methods, post-abortion health care, and particularly contraceptive methods provided for patients to protect them from the risk of re – abortion.

The National Strategy of Reproductive Health Care 2001 – 2010 approved by the Prime Minister under Decision No.36/2000/QĐ – TTg on Nov., 28<sup>th</sup>, 2000 identified reproductive health care, prevention against bacterial infection in reproductive routes and against STDs among adolescents as main target priorities. During the implementation of the Strategy, main solutions to improve reproductive health and sex health among adolescents are providing education and counselling as well as reproductive healthcare services suitable for them.

In order concretize the above Strategy, the Ministry of Health has adopted and enacted a Comprehensive Plan on Protection, Care and Improvement of Reproductive Health for Adolescents and Young Adults 2006 – 2010. The Plan outlines concrete objectives and measures to protect and improve the health of adolescents and young adults.

The objectives identified in the Plan include improving the knowledge and skills of adolescents and young adults in self – protection and self-care, expanding access to effective age-and-gender-aware specialized services to the group of adolescents and young adults, e.g. establishing friendly service centres, friendship clubs, friendly pharmacies for adolescents and young adults... Concrete targets to be reached by 2010 are:

- 80% of reproductive health care centres can offer information – education - counselling services for adolescents and young adults.
- 50% of reproductive health care centres are trained and able to offer “Friendly services” for adolescents and young adults.
- 100% of reproductive health care centres can provide documents/manuals as guidelines for the implementation of “Friendly services” in accordance with the Strategy.

In supporting the Plan, the Guiding Handbook on Friendly Services for adolescents are being prepared by the Ministry of Health in cooperation with the World Health Organization and the US Save the Children (SCUS) organisation. These documents will be the ground to carry out the Strategy in a comprehensive and synchronized manner throughout the country.

**Question 24:**

After 3 years of implementing the Gender Action Plan in Agriculture and Rural Development (ARD) Section to 2005, the results can be summed up as follows:

- **Achievements:**
  - The awareness of gender equality among officials, public servants and workers has been raised.
  - The Ministry of ARD, in cooperation with relevant state agencies, has adjusted a number of policies to reinforce the rights of women in accessing resources:
  - + The Amended Law on Land stipulates that names of both the wife and husband are registered on the land-use rights certificates. Previously, only the name of the household's head appears on the certificates.
  - + Integration of gender in several projects of agricultural promotion and technical assistance have been carried out, for example in projects on breeding, cultivating, forestry and agricultural infrastructure etc.
  - + A 45% rate of women participating in training courses on agricultural, forestry and irrigation promotion was targeted. Currently, the rate obtained is 35%, 5 – 6% higher than those in previous years.
- **Challenges:**
  - Continuing prevalence of the patriarchal ideology in the Vietnamese society has hindered the implementation of gender equality.
  - Limited budget for activities for the advancement of women.
  - Lack of gender specific statistics in the agricultural sector causes difficulties in properly assessing the situation and building gender based plans.
- **Measures to improve skills, create more jobs, promote the efficiency and encourage rural women's participation in SMEs:**
  - The Ministry of ARD launched a number of focus projects on agricultural, aquacultural and forestry promotion and projects of "one village one product"...
  - The Ministry of ARD instructed localities to shift production structures, diversify products, assist SMEs establishment, expand cooperation on labour export... to create more jobs and improve the skills for female labourers.
  - The policies of commercial production development in husbandry and cultivation, farm development, re – planning of productive land, market system building... have helped raise the productive capacity and attract more female labourers to join services and businesses.
  - Restoration and development of traditional handicraft villages, processing industries for agricultural and forestry products, services and tourism in rural areas.
- **Measures to encourage rural women and girls to access health care services:**  
 Many governmental policies have been issued and amended to make health care services more accessible for rural women and girls, namely:
  - Health care services for children of below 6 years of age are free of charge.
  - Health care services networks are consolidated on the basis of residential areas (instead of administrative systems as previously).

- Priority is given to improving material facilities and medical staff capacity in health care systems at district level.
- Every rural health care centre must have midwives.
- Financial aid for health care services to poor people, including women: purchase of health care insurance card worth 50.000 VND/person a year or helping pay the health care fee at centres of commune level; supporting hospital fee in cases of particular disadvantage.
- Projects focus on improving the health and self-care capacity of residents, particularly women in poor provinces and economically disadvantaged mountainous areas.
- Education on self health care for rural residents and ethnic minorities.
- Socialize and diversify forms of health care services.
- *Measures to encourage rural women and girls to access education services*
  - Continue to conduct the program of “First day of the school year” on September 4<sup>th</sup> annually.
  - Develop the system of “Education Promotion Group” nationwide to encourage children, including young girls, to attend school. Many branches of the Group extend to families and villages to assist poor children in their schooling and offer rewards for those with excellent school records.
  - Organize illiteracy-eradication classes in mountainous and remote areas, with special attention for women under the age of 40 and young girls.
  - Organize programs of community education attracting both men and women.
  - Offer a number of admission places in universities, colleges and schools for some young people in mountainous area without entrance exams.
  - Socialize education with greater engagement of the people.
  - Local Women’s Unions organize special education program dedicated to local women.

**Question 25:**

*Information on the living conditions of women in rural, mountainous and remote areas, particularly those who are head of household or/and of ethnic minorities:*

Infrastructure in underprivileged and remote areas has been recently improved. By the end of 2005, over 94.3% of the communes nationwide have electricity grid; 60% have local cultural – post office; nearly 100% have local clinics and primary schools; 94.5% have roads. 62% of the rural population have access to clean water. Meanwhile, the rate of poor households of Vietnam, according to international standards, has reduced remarkably from 37.4% in 1998 to 24.1% in 2005. The agricultural production turnover in the period 2003 – 2005 has increased by 4.5% on average. *(Statistics are extracted from Vietnam’s annual Report on Growth and Poverty Alleviation).*

The living standards and health of people, including the women in mountainous and remote areas, therefore, have improved. For instance, the rates of pregnant women receiving professional health care in Central Highlands and in the northeastern region are 72.2% and 83.3%, respectively. The literacy rate among women of Tay ethnic minority community is 89%, the Thai community 69%, H’mong 21%, and other minority communities is 70%. The respective rate of the majority Kinh community is 92%. Women as head of households account for 27%, and their living standards is the

on a par with households having men as head. Many poor rural women have been enjoying preferential loans from various sources to develop their production for a higher income.

To gain and maintain these achievements, Vietnamese Government has been steadily practicing the policy of harmonising economic development with poverty alleviation, assuring social equity, including legal rights of different walks of life as well as of the women. In particular, the 2nd phase of Program 135 (2006-2010), with emphasis on economic development in mountainous and remote communes in particular disadvantageous conditions, are being conducted with construction of roads, health care centres, cultural centres and clean water supplies for the people. However, in spite of these efforts, the living standards of people in general, and of women in particular, are still low due to limited socio-economic conditions in rural areas.

Information on elderly women: the total number of Vietnamese elderly is 9.8 million, of which women account for 58%. The majority of elderly women still live with their children or relatives. Some single elders are cared at local centres, enjoying priority policies such as: social welfare for disadvantaged people, medical insurance, and free of charge health check – up to twice a year. In general, they are actively involved in the social and cultural activities of the community and particularly held in high regards in communes and villages. However, there remain a number of elderly women living alone in difficult conditions.

**Question 26:**

*Measures to ensure gender equality and non-discrimination against ethnic minority women:*

- On divorce issues: Continuing to implement Decree no. 32/2002 on application of Law on Marriage and Family to ethnic minorities. Disseminating to ethnic minority groups, especially women, about the Law on marriage and family. Providing reconciliation and legal counselling services for couples going through divorce. Exercising the capacity of the women's unions in protecting the legal rights and interests of women and children in divorces. Promoting the roles of village elders, heads of mountainous villages and respectable people in the community with a view to preventing discrimination against women in divorce cases. Handling divorce cases in accordance with the law. Taking duly into account the rights and interests of women and children when enforcing the court's rulings.
- On inheritance rights: in recent years, positive progress has been witnessed in implementation of the land law, thus better ensuring equal rights of women. The State continues to provide ethnic minority groups with radiobroadcast receivers, televisions, books and newspapers and broadcasting in ethnic minority languages, organizing community activities, promoting new cultural lifestyle, reducing outdated customs, including the issue of women's rights of inheritance.
- On access to healthcare services: The State increasingly invests into upgrading communal public health facilities, giving priority to remote areas so that they have sufficient capacity to provide essential and fundamental healthcare services. Expanding and improving the human and material resources for mobile medical teams. Launching malnutrition prevention programs for children and anaemia prevention programs for pregnant women in isolated areas and ethnic minority groups. Organizing examination and medical treatments for the poor, including women, according to Decision 139/2002/QD-TTg by the Prime Minister on healthcare services provision for the poor.

Besides, The State is improving the legal framework, policies and measures to better ensure equal rights for women. Particularly, the drafting of the Law on Gender Equality and the ratification of the 2006-2010 Socio-Economic Development Plan, integrating the goals of gender equality, have reflected the needs and aspirations of ethnic minority groups. The supervision role of the communities and unions, including the Women's Union, is also an important factor.

**Question 27:**

- *Implemented measures to ensure women's rights to property ownership*
  - The Ministry of Natural Resources and Environment coordinated closely with localities to give instructions on the implementation of the revised Land Law 2003. The land-use certificates certifying that the land-use right is a shared property now bear the names of both husband and wife if so requested by households.
  - Authoritative government agencies at local levels, executing Decree No.70/2001/ND-CP, carry out the exchange of previous certificate for the new one bearing names of both husband and wife for households with such requests.
  - In addition, women's rights to private properties are protected by the law.
  - More attention has been attached to propagating and disseminating the Land Law. Especially, the Women's Union has been actively communicating to women and members about equality in family relations, including women's rights to property ownership.

However, there are a number of people, including women, who remain unaware of their rights to property inheritance or find no need to exchange for the new land-use right certificate with both spousal names registered. Therefore, the propaganda and dissemination must be strengthened in the future. The State should adopt measures to issue the new certificate bearing the names of both husbands and wives even without citizen's requests.

**Question 28:**

The Optional Additional Protocol to CEDAW has been designed to positively protect women's rights and prevent the violation of CEDAW. The procedures of complaint and denunciation indicated in the Optional Protocol, however, are different from the domestic law of Vietnam in a number of aspects. Therefore, Vietnamese relevant agencies will continue to study and consider signing of the Protocol.

However, pursuant to Vietnam's law, complaint and denunciation are the fundamental legal rights of Vietnamese citizens as recognised in Article 74 of the Constitution of the Socialist Republic of Vietnam. In fact, in order to ensure complaints and denunciation to be in accordance with the law, promote democracy, strengthen the governance of socialist law and protect the legal rights and interests of the State, citizens and organizations, Vietnam's legal framework has been improved gradually.

One benchmark is the Ordinance on Citizens' Complaint and Denunciation issued in 1991 which spells out concrete terms regarding the complaint and denunciation rights of the citizens as well as the responsibility of state agencies in dealing with complaint and denunciation. The Law on Complaint

and Denunciation, adopted by the National Assembly in 1998, has further developed and revised the limitations of the 1991 Ordinance, and, thus, better protect the rights of Vietnamese citizens in general and of women in particular.

Article 1 of the Law on Complaint and Denunciation 1998 stipulates “Citizens, state agencies and organisations have the legal rights to make complaints if they have evidence to assert that administrative decisions and actions made by administrative agencies or by the responsible personnel in the administrative agencies are illegal and damaging to their legal rights and interests.”

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