



Convention on the Rights of Persons with Disabilities

Distr.: General
11 October 2022

Original: English
English, French and Spanish only

Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Viet Nam*

A. Purpose and general obligations (arts. 1–4)

1. Please provide information on:

(a) The extent to which the State party has adopted the concepts of “communication”, “language”, “reasonable accommodation”, “universal design” and “discrimination on the basis of disability” in all applicable legislation, on the basis of the principles of the Convention;

(b) The classification of disability into three categories (mild, severe and very severe) and how such classification affects the equal enjoyment of rights of persons with disabilities with different types of disability;

(c) The roles of organizations of persons with disabilities in the monitoring process of the implementation of the Law on Persons with Disabilities, together with data showing that they are consulted and involved in legislative and policy decision-making on processes directly related to them;

(d) The progress that the State party has made in the development of the Law of Association (Decree No. 45/2010/ND-CP) to ensure the protection and ability of organizations of people with disabilities to participate independently in decision-making processes and secure resources for their operations, and the extent to which the legal status of these organizations affects the participation of persons with disabilities in decision-making processes.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

2. Please provide information on:

(a) The number of complaints of discrimination on the ground of disability and whether there are mechanisms for persons with disabilities to lodge complaints and receive redress;

(b) Mechanisms to monitor the implementation of laws, regulations and policies prohibiting discrimination against persons with disabilities and the participation of organizations of persons with disabilities in such mechanisms;

(c) Steps taken by the State party to repeal any laws and regulations that are not in line with the principles of the Convention;

* Adopted by the pre-sessional working group at its sixteenth session (12–16 September 2022).



(d) The recognition of the denial of reasonable accommodation as a form of discrimination.

Women with disabilities (art. 6)

3. Please provide information on:

(a) The number of organizations of women with disabilities and organizations of persons with disabilities led by women, including those within the system of sociopolitical organizations of women, such as the Viet Nam Women's Union, and steps taken by the State party to support the establishment of such organizations and the capacity development of their members;

(b) Mechanisms for organizations of women with disabilities at all levels, including the district, village and commune levels, to participate in public life and put forward women with disabilities as candidates for election as members of the National Assembly and People's Councils, and any measures that are foreseen to increase their participation in the next few years;

(c) Steps taken to ensure the accessibility of all support services, including temporary shelters, police stations, legal aid services and facilities, and courthouses, for survivors of gender-based violence, in particular in remote areas;

(d) Measures taken to provide training to law enforcement officers, health-care service providers, community leaders and judicial officers and staff on the risk of violence against women and girls with disabilities, and how to safely identify cases and provide support for survivors;

(e) Efforts to increase awareness of gender inequalities, in particular with respect to the burden of work within the household, and challenge gender norms that disadvantage women and girls with disabilities;

(f) Data collected on the economic impact of the coronavirus disease (COVID-19) pandemic on women with disabilities and steps taken by the State party to support livelihoods, job creation, income generation and start-up businesses for women with disabilities affected by the pandemic;

(g) Measures to ensure that all programmes and strategies under the Law on Gender Equality are inclusive of women and girls with disabilities, including the allocation of resources to ensure that women and girls with disabilities are fully informed of their rights under the law and that programmes are made accessible to them.

Children with disabilities (art. 7)

4. Please inform the Committee about measures taken to:

(a) Ensure the full and effective participation of all children with disabilities, including children with different types of disabilities, in support programmes and schemes for children in general and for children with disabilities in particular;

(b) Ensure the right to meaningful participation of children with disabilities, in particular children with hearing disabilities, children who use alternative methods of communication and children with intellectual disabilities;

(c) Provide specific data and cases concerning children with disabilities experiencing violence, abuse and trafficking, disaggregated by sex, age, ethnicity and area of residence, and the State plan to eliminate all forms of violence, including a safe, gender-sensitive and age-appropriate accessible hotline utilizing various communication styles and support, including psychological support, for families of children with disabilities, to prevent and mitigate possible forms of abuse of children with disabilities.

Awareness-raising (art. 8)

5. Please provide:

(a) Information on measures taken to ensure that persons with disabilities are fully informed of their rights under the Law on Disability, the Law on Gender Equality and all other laws and regulations on matters affecting them, including information on the accessibility of public awareness campaigns, public websites and media, and all other public sources of information;

(b) Data collected on the number and percentage of persons with disabilities who have access to State-run awareness-raising activities on the rights of persons with disabilities, including data disaggregated by disability, sex, age and place of residence, and information on the effectiveness of measures taken to remove barriers to the accessibility of those activities;

(c) Data on and the percentage of government officials, educators, social workers and health-care service providers participating in training and awareness-raising programmes about persons with disabilities that include awareness-raising of organizations of persons with disabilities, disaggregated by level, including the central, provincial and local levels;

(d) Information on the Government's plan to increase the participation of organizations of persons with disabilities, in particular those in rural and remote areas, in activities to raise awareness about persons with disabilities and their right to non-discrimination;

(e) Information on measures taken to raise awareness in the general population regarding the harm to persons with disabilities, in particular those affected by COVID-19, caused by stigma, stereotypes and harmful practices and promote a positive image of persons with disabilities.

Accessibility (art. 9)

6. Please provide information on:

(a) The road map for implementation of accessibility in old and newly built public buildings, roads and sidewalks, pedestrian passageways, public transportation (including waiting areas and toilets), educational institutions, health-care facilities, public bathrooms and other public facilities;

(b) Measures to ensure the safety of all public facilities and infrastructure for women and children with disabilities, including the establishment of secure and well-lit facilities;

(c) Statistics related to the accessibility of information and communications technology, including national television programmes, radio stations and websites of State agencies, and a plan or road map on implementing accessible information and communications technology, in particular in relation to formats benefiting those with hearing, speech and intellectual disabilities;

(d) Steps taken to promote the participation of persons with disabilities and their representative organizations in the development and monitoring of all plans relating to the accessibility of infrastructure and information, including the development of media programming;

(e) Measures taken to ensure that all persons with disabilities have adequate and effective access to information and policies related to them, in particular persons with disabilities in remote areas and persons with disabilities from ethnic minority groups;

(f) Measures taken to ensure accessibility for persons with disabilities, including accessibility to services during periods of lockdown, treatment facilities, quarantine areas and vaccination sites in the locality, as well as complete and effective accessibility to information, during the COVID-19 pandemic;

(g) Mechanisms available to and accessible for persons with disabilities to provide feedback regarding the accessibility of public facilities, without fear of retaliation, and

measures to promote accountability among construction and transportation service providers that do not meet the guidelines outlined in the Ministry of Construction's National Technical Regulations on the Construction for Disabled Access to Buildings and Facilities.

Right to life (art. 10)

7. Please provide information on how the State party ensures that persons with psychosocial disabilities and/or intellectual disabilities and autistic persons are protected from the application of the death penalty.

Situations of risk and humanitarian emergencies (art. 11)

8. Please inform the Committee about:

(a) Measures taken to ensure the inclusion of all persons with disabilities and measures taken by the State party to consult with persons with disabilities and local organizations of persons with disabilities on situations of risk, humanitarian emergencies and emergencies linked to climate change;

(b) Statistics on the specific outcomes and impact of disaster risk prevention and response programmes and schemes on persons with disabilities, including their participation in the planning of disaster risk prevention and response programmes and technical support groups at all levels, disaggregated by disability type and gender;

(c) The State party's programmes addressing disaster risk prevention and response that ensure accessibility and inclusion for persons with disabilities, including access to assistive technology through the allocation of dedicated resources;

(d) Support provided to persons with disabilities during the COVID-19 pandemic during the period 2020–2021, in particular the number of persons with disabilities who received various types of support, disaggregated by disability type, gender, ethnicity and types of support received, and measures taken to assist persons with disabilities to fully access emergency assistance;

(e) Measures implemented to respond to the COVID-19 pandemic that include people with disabilities, including accessible information and communications, measures to prevent and reduce violence, health and psychological support and access to vaccination, and the vaccination rate among persons with disabilities, disaggregated by area of residence.

Equal recognition before the law (art. 12)

9. Please provide:

(a) Information on policies and regulations that have been put in place to promote the right to equal recognition before the law of persons with disabilities to local officers of relevant departments and agencies and the community;

(b) Information on measures taken to assist persons with disabilities, including persons with psychosocial disabilities and/or intellectual disabilities, as well as women and girls with disabilities, to exercise their legal capacity;

(c) Information on the steps taken to replace the guardianship law and other systems of substituted decision-making permitted under article 22 of the Civil Code (No. 91/2015/QH13) with supported decision-making regimes for persons with psychosocial disabilities and/or intellectual disabilities, taking into consideration the Committee's general comment No. 1 (2014);

(d) Information on measures taken to establish supported decision-making mechanisms and processes to ensure that persons with disabilities can express their will and preference on all legal matters;

(e) Data disaggregated by gender, age and location (rural or urban) on the numbers of persons with disabilities who own or inherit property, have access to bank loans, mortgages and other forms of financial credit, and are otherwise free to exercise their rights to control their own financial affairs on an equal basis with others, and the effectiveness of measures to eliminate barriers to the free exercise of those rights.

Access to justice (art. 13)

10. Please inform the Committee about:

(a) Measures taken to ensure that persons with disabilities, including women and girls with disabilities, have access to justice, including accessibility and procedural and age-appropriate accommodations to access information and legal and administrative procedures and to participate in legal proceedings, as well as alternative means of communication and court support assistants throughout legal processes;

(b) Training provided to those working in the justice sector, including police and prison staff, judges and court staff, on how to work and interact with and support persons with disabilities as witnesses, claimants and defendants;

(c) Measures taken to support and promote the access of persons with disabilities to the legal profession, such as the provision of reasonable accommodation in pre-law exams and law schools, and data on the number of persons with disabilities admitted into law schools licensed to practice law and on those currently serving as judges in the Ministry of Justice.

Liberty and security of person (art. 14)

11. Please provide information on the measures taken to:

(a) Review and repeal any legislation and practices allowing for the deprivation of liberty of persons with disabilities on the basis of impairment, in particular persons with psychosocial disabilities and/or intellectual disabilities;

(b) Develop the capacity to establish non-coercive, voluntary and community-based mental health support services.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

12. Please inform the Committee about measures taken to ensure that persons with disabilities are free from torture, violence, coercion, corporal punishment or any form of treatment, including medical, pharmaceutical and scientific experiments and any other form of experiments, without their informed consent, in particular, for persons with psychosocial disabilities and/or intellectual disabilities living in mental health facilities and temporary detention or custody.

Freedom from exploitation, violence and abuse (art. 16)

13. Please provide information about measures taken to:

(a) Prohibit the actions of manipulation, inducement or force against persons with disabilities, including sexual assault and violence against, abuse and exploitation of and trafficking in children and women with disabilities;

(b) Protect women and girls with disabilities, in particular those with psychosocial disabilities and/or intellectual disabilities, from all forms of gender-based violence, including plans to establish a road map to protect, support and ensure access to judicial services for women with disabilities experiencing various forms of gender-based violence, including sexual harassment and domestic violence;

(c) Investigate, collect disaggregated data and, where appropriate, prosecute cases of exploitation of and violence and abuse against persons with disabilities, in particular children and women with disabilities, as well as provide redress and integration support for victims and ensure that support services are safe, available and accessible for children and women with disabilities who are victims of trafficking or other forms of exploitation, violence and abuse.

Protecting the integrity of the person (art. 17)

14. Please indicate measures taken to:

(a) Ensure that persons with disabilities, in particular persons with psychosocial disabilities and/or intellectual disabilities, are not subjected to biomedical research or the administration of any health services, including sexual and reproductive health services, without their free and informed consent;

(b) Repeal laws permitting the forced or coerced sterilization of and abortion for women and girls with disabilities.

Liberty of movement and nationality (art. 18)

15. Please provide information on measures adopted to ensure access to citizenship, immigration formalities and birth registration and guarantee the rights of all citizens, including persons with psychosocial disabilities and/or intellectual disabilities, persons with disabilities from ethnic minority groups and persons with disabilities living in rural and remote areas, to migrate on an equal basis with others.

Living independently and being included in the community (art. 19)

16. Please inform the Committee about:

(a) Policies and budget allocation to operate and develop an independent living programme in the community for persons with disabilities, including personal assistant support programmes and home-based care services for persons with high and very high levels of support needs;

(b) Government programmes implemented to train and professionally certify qualified personal assistants and social workers to provide services at home for persons with disabilities at the local level, including in rural and remote areas;

(c) The level of accessibility and assessment of persons with disabilities with regard to community services and community service providers;

(d) Measures taken to support independent living services and other social and health-care services that support the inclusion of and participation in the community by all persons with disabilities, including persons with very high levels of support needs and older persons with disabilities.

Personal mobility (art. 20)

17. Please provide information on measures taken to:

(a) Facilitate the personal mobility of persons with disabilities, including through the use of private and public transportation systems, the use of street signals to ensure accessibility for persons with disabilities, technical support and supportive devices at an affordable cost;

(b) Provide solutions, including for utilizing buses, trains, airlines and inland waterways, to equip modes of transportation with accessible devices and tools for persons with disabilities using wheelchairs, persons with visual and hearing disabilities and persons who use an alternative method of communication;

(c) Utilize available science and technology to effectively support persons with disabilities to access mobility;

(d) Provide training on the provision and use of assistive devices and technology for persons with disabilities and their representative organizations;

(e) Collect statistics on the percentage and number of persons with disabilities being trained and licensed to drive, disaggregated by vehicle type, including on driver training centres that persons with disabilities can access and at which they can participate in training and testing;

(f) Plan a road map in terms of changing regulations on health conditions, regulations for training and licensing units and ensuring adequate vehicles and facilities for persons with disabilities;

(g) Encourage enterprises to be involved in the production of mobility aids, equipment and technologies for persons with disabilities, taking into consideration adaptiveness and financial affordability.

Freedom of expression and opinion, and access to information (art. 21)

18. Please provide information on:

(a) Regulations to ensure access to information in a timely and quality manner and without additional cost by all persons with disabilities, in particular persons with hearing disabilities, persons with visual disabilities, persons who use an alternative method of communication and persons with intellectual disabilities;

(b) Measures taken to support all persons with disabilities to adequately and effectively access information from the community, including promulgating standards on the ratio of 1/12 frames of sign language interpreters in mass media and stipulating appropriate channels and time frames to ensure compulsory language interpretation for persons with hearing disabilities and persons who use an alternative method of communication, and regulations on standards of accessibility to mass media for persons with visual disabilities and persons with intellectual disabilities;

(c) The State party's recognition of sign language as an official language and its strategy to develop a team of quality sign language interpreters to increase opportunities for persons with hearing disabilities and persons who use an alternative method of communication to access complete and effective information;

(d) How organizations of persons with disabilities are able to exercise their rights to freedom of expression and freedom of association, including how they are protected against intimidation, harassment and reprisals when they express their opinions about government policies.

Respect for privacy (art. 22)

19. Please provide information about measures taken to prohibit the misuse of the property, image, personal information and conditions of persons with disabilities for personal benefit or to carry out illegal actions.

Respect for home and the family (art. 23)

20. Please provide information on measures taken with regard to:

(a) The rights of persons with disabilities to voluntary marriage, family inheritance, access family planning, gender-sensitive and age-appropriate information and services in relation to sexual and reproductive health and rights, and adoption on an equal basis with others;

(b) The ability of persons with disabilities to utilize reproductive services and genetic testing, without facing coercion or forced abortion, as well as counselling services for persons at risk of genetic conditions as a result of exposure to toxic chemicals, including the provision of physical and psychological support for persons with disabilities, persons affected by toxic chemicals and persons living with HIV/AIDS;

(c) Social services and programmes to provide care, support and education to the parents or guardians of infants and children with disabilities, as well as support for parents with disabilities in their right to found a family on an equal basis with others;

(d) Promoting the implementation of the rights of all women with disabilities, in particular the right to inheritance and the right to marry and have children.

Education (art. 24)

21. Please inform the Committee about:

(a) The budget to invest in accessible facilities and human resources to support children with disabilities to participate in inclusive education, including specific mechanisms, such as trained teachers and social workers, to ensure the conditions to support them to participate in inclusive education;

(b) The provision of accessible, specialized and appropriate textbooks, materials and learning equipment for children with disabilities, including those receiving support from specific learning devices, and the State's plans and programmes to support the production of learning materials and devices and ensure the availability of textbooks and materials in a child-specific accessible format for children with visual disabilities, intellectual disabilities and hearing disabilities, in particular in rural and remote areas;

(c) Current educational institutions providing inclusive and accessible educational activities and reasonable accommodation to meet the specific educational requirements and needs of students with various types of disabilities;

(d) The plan and road map to strengthen sign language interpreting services, as commonly used by the Vietnamese deaf community, and inclusive learning facilities in the education system for all children with hearing disabilities and children who use an alternative method of communication, including the recognition of sign language as an official language in the national education system;

(e) The number and percentage of teachers with disabilities in the education system at all levels, including the State's plan to increase the participation of persons with disabilities in the education system, in particular teachers with hearing disabilities and those who use an alternative method of communication, such as sign language, to teach children with disabilities;

(f) Support provided and planned to help disabilities be detected early and for intervention to be provided early, without targeting a child for discrimination or exclusion from general education, as well as access education during and after the COVID-19 pandemic.

(g) Plans to train teachers, social workers and school staff about the various types of disabilities, the provision of reasonable accommodation in the classroom setting and strategies to create inclusive and equitable learning environments free from bullying and other forms of violence;

(h) Plans to develop materials for the curricula at all levels of education that display positive representations of persons with disabilities, to prevent stigma and discrimination;

(i) Progress in the implementation of the national action programme for children for 2021.

Health (art. 25)

22. Please provide updated information about steps taken to:

(a) Ensure that all persons with disabilities have effective access to acceptable, quality health-care services at medical facilities, in particular close to their community, including statistics on the percentage of health-care facilities that are accessible to all persons with disabilities;

(b) Adopt State plans for equal access to health care for all persons with disabilities, regardless of the severity type as defined by the State, in particular in ensuring the provision of free or affordable health insurance;

(c) Implement measures, in the context of the COVID-19 pandemic, related to health care and prevention measures for persons with disabilities;

(d) Ensure that persons with disabilities have access to affordable, accessible, high-quality health-care services, including sexual and reproductive health services, and to integrate those into national health care-related laws and policies;

(e) Include persons with disabilities and their representative organizations in the monitoring of health-care facilities and services and provide age-appropriate and accessible mechanisms through which they can register complaints in the event of inaccessible facilities or discriminatory treatment;

(f) Train health-care service providers on disability and the rights of persons with disabilities to respect for their dignity, autonomy and free and informed consent;

(g) Collect data on the number of persons with disabilities in health care-related fields and professions, as well as the number of persons with disabilities admitted into medical schools.

Habilitation and rehabilitation (art. 26)

23. Please provide information about:

(a) The type of rehabilitation services available to persons with disabilities;

(b) The access of persons with disabilities to basic and quality assistive devices and statistics on the percentage of persons with disabilities who receive basic assistive devices for free, or for a partial fee, disaggregated by device type and source of fund.

Work and employment (art. 27)

24. Please inform the Committee about:

(a) Policies on technical and financial support for enterprises run by persons with disabilities, in particular those recovering after the COVID-19 pandemic, and plans to establish a specific support mechanism for enterprises of persons with disabilities;

(b) The number and proportion of workers with disabilities, in the form of data disaggregated by gender, disability, formal and informal economic sectors and public and private sectors, including policies and plans to ensure equal employment opportunities for all persons with disabilities;

(c) Regulations on investment in facilities and vocational education and training programmes to ensure accessibility to all persons with disabilities, in particular women with disabilities, including a plan and road map to promote investment to increase opportunities for equal and effective participation in career-orientation programmes for all persons with disabilities;

(d) Policies on and assessments of the participation of persons with disabilities and the support of job creation in the agricultural sector, given that Viet Nam is an agricultural country and a high percentage of persons with disabilities in the country live in rural areas;

(e) Policies and measures to remove physical and attitudinal barriers to recruitment and in workplace settings, as well as to ensure that persons with disabilities attain higher levels of education as part of their right to full, safe and decent employment;

(f) Measures taken to provide safeguarding policies for all persons with disabilities in the workplace, including protection from all forms of gender-based violence and the provision of reasonable accommodation.

Adequate standard of living and social protection (art. 28)

25. Please provide to the Committee:

(a) Data on persons with disabilities, segregated by age, disability, gender, geographical location and ethnic minority groups, including indigenous persons, in particular the Khmers-Krom, accessing social protection programmes, regardless of the severity of types of disabilities as defined by the State;

(b) Information on measures taken on policies and a dedicated budget to ensure that all persons with disabilities, including from ethnic minority groups, have access to an adequate standard of living and social protection.

Participation in public and political life (art. 29)

26. Please provide information on:

(a) Legislation to ensure the representation of persons with disabilities in elected bodies, including the upcoming amendment to the Law on Disability, and how the political rights of persons with disabilities will be included;

(b) Practical measures to support persons with disabilities, in particular the most marginalized, to express their will and opinions in referendums;

(c) Accessibility standards established and applied to voting procedures and the voting environment, facilities and materials;

(d) The legal requirements on the collection of data on the number and proportion of persons with disabilities registered to vote and exercising the right to vote, including on related complaints, and on the number and proportion of persons with disabilities holding office and performing public functions.

Participation in cultural life, recreation, leisure and sport (art. 30)

27. Please update the Committee about:

(a) Measures taken to facilitate the participation of persons with visual, auditory, psychosocial and/or intellectual disabilities in national sports tournaments for persons with disabilities and the State plan and road map to promote active participation and closely consult with all persons with disabilities in sports programmes at the local and national levels;

(b) Policies and regulations to ensure access by persons with disabilities to amusement parks and cultural and sports areas.

C. Specific obligations (arts. 31–33)**Statistics and data collection (art. 31)**

28. Please indicate the measures and plans adopted to:

(a) Enhance the data-collection framework across all government ministries and departments and ensure the disaggregation of data by a range of factors, such as sex, gender, age, disability and geographical location, to inform policies, as directed by the Washington Group in its short sets of questions;

(b) Ensure that data collected are accessible and publicly available to persons with disabilities and their representative organizations, including information regarding progress on the implementation of the Convention and the Law on Disability;

(c) Implement the concluding observations of the Committee on the Elimination of Discrimination against Women on the State party's combined seventh and eight periodic reports,¹ which included a recommendation on enhancing the collection, analysis and dissemination of comprehensive data, in particular with respect to women and girls with disabilities, including those who are from ethnic minority groups, migrants or internally displaced, LGBTQI+ or living with or affected by HIV, to assess progress among all women.

International cooperation (art. 32)

29. Please provide information on measures taken to create a disability-inclusive budget marker and timeline to ensure that the rights of persons with disabilities, including women with disabilities and their representative organizations, are actively involved and closely consulted in the design, implementation and evaluation of international cooperation projects, in particular those related to the implementation of the 2030 Agenda for Sustainable Development and the ASEAN Enabling Master Plan 2025: Mainstreaming the Rights of Persons with Disabilities.

¹ CEDAW/C/VNM/CO/7-8.

National implementation and monitoring (art. 33)

30. Please provide further information on:

(a) The involvement and roles of representatives of organizations of persons with disabilities, including organizations of women with disabilities, to participate in the establishment of the Working Group for Persons with Disabilities in the provinces, cities and districts;

(b) The plan to strengthen the role of organizations of persons with disabilities in this Working Group to promote the implementation of the Convention at the local and national levels;

(c) The plan and road map to increase the recruitment of persons with disabilities working as focal points on disability rights in State agencies at all levels and in the National Committee on Disability;

(d) The plan of the State party to set up an independent monitoring mechanism, in line with article 33 (2) of the Convention and with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including the mechanism for participation in monitoring and feedback from organizations of persons with disabilities and the mechanism to secure a budget for the implementation of the Convention and the monitoring thereof;

(e) Specific laws and policies to ensure the full participation of organizations of persons with disabilities, including organizations of women with disabilities, in the monitoring of the implementation of the Convention;

(f) How the National Committee on Disabilities retains an objective and independent monitoring role when it is responsible for both coordinating and monitoring the implementation of the Convention.
