

A GROUP OF VIETNAMESE NON-GOVERNMENTAL ORGANIZATIONS

REPORT OF NON-GOVERNMENTAL ORGANIZATIONS

REGARDING

**IMPLEMENTATION OF THE CONVENTION ON
THE ELIMINATION OF ALL FORMS OF DISCRIMINATION
AGAINST WOMEN (CEDAW) IN VIET NAM**

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PREFACE

Viet Nam ratified the Convention on the Elimination of All Forms of Discrimination against Women CEDAW Conventions on 17 February 1982 and has been commended by the United Nations Committee on the Elimination of Discrimination against Women for its efforts to implement CEDAW in the country's policies as well as for other achievements in moving toward gender equality. In 2001, Viet Nam presented its second, third, and fourth combined national reports. In early 2007, Viet Nam will present its fifth and six Combined Report and there will be another report of its local NGOs:

For the first time in Viet Nam's CEDAW reports, NGOs and social scientists worked together to research and write this document raising some important issues which are concerned. The objectives of this report are to confirm the achieved successes and note the coming challenges and the recommendations to the government in order to establish positive and effective methods to implement gender equality. Viet Nameese NGOs recognize their responsibility and roles in further participation and contribution to activities supporting both women's equality and advancement in Viet Nam as well as equality, peace, and development all over the world.

This NGO report was written by the Center for Education Promotion and Empowerment of Women (CEPEW); the Research Center for Gender and Development (RCGAD); the Institute for Family and Gender; the Institute for Social Development Studies (ISDS); The Reproductive and Family Health Center (RaFH); the Research Center for Gender, Family and Environment in Development (CGFED); and the Interdisciplinary Gender Center (IGC). Other NGOs also contributed their ideas.

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We hope this report will contribute to improving gender equality in Viet Nam.

Abbreviation

ADB	Asian Development Bank
AIDS	Acquired Immunodeficiency Syndrome
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CHCs	Commune Health Centers
FAO	Food and Agriculture Organization of United Nation
GDI	Gender Development Index
GSO	General Statistics Office
HDI	Human Development Index
HIV	Human Immunodeficiency Virus
IEC	Information Education and Communication
IES	Informal Economic Sector
ILO	International Labour Organization
MOLISA	Ministry of Labour, Invalids and Social Affairs
NCFAW	National Committee for the Advancement of Women
NGO	Non Governmental Organization
PC	People's Council
RCFL	Research Center for Female Labour – Ministry of Labour, Invalids and Social Affairs
STDs	Sexually Transmitted Diseases
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women

UNFPA	United Nation Population Fund
VAAC	Viet Nam Administration of HIV/AIDs Control
VWU	Viet Nam Women’s Union
WTO	World Trade Orgnization

Key subject matters in the report

1. Violence against women

**** The CEDAW applicable Articles: Article No 3 of Part 1, Article No 5a and Article No 6, include General Recommendation No. 19**

2. Women participation in politics

**** The CEDAW applicable articles: No 7a, 7b and 7c ,5a, 16 include General Recommendation No. 23**

3. Women in Education

**** The CEDAW applicable articles: No 10 and No 14d**

4. Women and health

**** The CEDAW applicable articles: Article No 5 (b), No 10 (h), No 12, No 14 (2b), No 16 (1e), include General Recommendation No. 24**

5. Female labour in informal economic sector

**** The CEDAW applicable articles: No 11, 13, 14c, 14d, 14e, 14f, 14g**

6. Rural women

**** The CEDAW applicable articles: No 5a, No 14, No 14a, No 14f, No 14g**

7. Women in the Family

**** The CEDAW applicable articles: No 2, 16, 5a, 11.2c and 6, include General Recommendation No. 25**

TABLE OF CONTENTS

	Page
A. INTRODUCTION	7
1. Context	7
2. Organizations working for the advancement of women	7
3. The key issues	9
4. Main recommendations	11
B. REPORT ISSUES	13
I. Violence against women and girl children	13
1.1. Context	13
1.2. Challenges	15
1.3. Recommendations	18
II. Women participation in politics	20
2.1. Context	20
2.2. Challenges	21
2.3. Causes	23
2.4. Recommendations	25
III. Women in education	26
3.1. Context	26
3.2. Challenges	27
3.3. Recommendations	31
IV. Women and health	32
4.1. Context	32
4.2. Challenges	33
4.3. Recommendations	38
V. Female labour in informal economic sector	39
5.1. Context	39
5.2. Challenges	40
5.3. Recommendations	44
VI. Rural women	46
6.1. Context	46

6.2.	Challenges	47
6.3.	Causes	49
6.4.	Recommendations	51
VII.	Women in the family	52
7.1.	Context	52
7.2.	Problems	53
7.3.	Recommendations	57
C.	REFERENCE	59
ANNEX	List of the organizations participating in the process of making NGOs' report on CEDAW implementation in vietnam	65

A. INTRODUCTION

1. Context:

Viet Nam has achieved great success during their renovation process from a centralized economy into a government-orientated economic market. The economy has been flourishing; the GDP is 7.5%. The living standard of the people has improved through the combination of economic development and attention to the solution of social problems. Moreover, programs in their poverty reduction have been strengthened; the percentage of poor families (according to the domestic standards of Viet Nam in the period of 2001 and 2005) has dropped from 17.5% in 2001 to 7.0% in 2005. During those five years, 7.5 million people found jobs (*Source: Document from The 10th National Congress of the Communist Party, 2005*) through a combination of efforts by the government, the State, and local people in economic, cultural, and social infrastructure projects in both rural and urban areas. Viet Nam has also seen positive results in education, training, health protection and care as well as in development of its medical treatment network. The Human Development Index (HDI) increased from 0.660 in 1995 to 0.704 in 2003 (*Source: <http://hdr.undp.org/statistic/data/countries.cfm?c=VNM>*). The average lifespan has increased from 71.5 (in 2000) to 76.85 (in 2005) (*Source: Document of Communist Party Congress, 2005*).

Viet Nam has a clear goal to improve its socio-economic development between 2001 and 2010 according to this general aim: “Viet Nam will move out of its status as a developing country by improving the physical, spiritual, and cultural lives of the people so that by 2020 Viet Nam will be an a modern, industrialized nation.” To achieve this general objective, the government built a comprehensive strategy to increase development and improve its efforts in hunger eradication and poverty alleviation between 2001 and 2010. The strategy included policies and detailed methods aimed at ensuring stable economic development and hunger eradication.

Achievements in socio-economic development have supported the implementation of Viet Nam’s gender equality policy. The government’s policy is clear: Women are not only the motivation but also the aim of development. Gender inequality is one reason for poverty and interferes with development. Therefore, the government is committed to applying *the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)* and the *Beijing Platform of Action*, and to enforcing policies to help build, add, and adjust current society in order to implement and protect women’s rights and achieve the desired results. The Gender Development Index (GDI) of 2004 ranked Viet Nam as 87th out of 144 countries (*Source: Report on human being development, UNDP, 2004*).

2. Organizations Working for the Advancement of Women:

State organizations – especially the National Committee for the Advancement of Women (NCFAW) – and donors and others from the international community have contributed to socio-economic development in general and gender equality in particular as well as to Vietnamese organizations working for equality and the development of women.

NCFAW, an advisory body of the government, was established in 1993 and arose out of the Committee for the United Nation Decade on Women. It has developed into a network with different branches and levels from the government. NCFAW's outstanding achievement has been to consult with the government on the construction and enforcement of strategy as well as the *National Action Plan for the Advancement of Vietnamese Women to 2010*. NCFAW also organized communication on CEDAW, the *Strategy and National Action Plan*, set up education sessions for the National Assembly and People's Committees and for staffs of ministries and provinces to mainstream the gender policy and monitor the strategy and the *National Action Plan*. Nevertheless, many shortcomings and disadvantages limited effective activities for the advancement of women. These include:

- NCFAW has had trouble shifting ideas into the governmental structure because the leader of NCFAW is not a member of the government;
- NCFAW lacks enough experienced specialists;
- NCFAW committee members and members of other departments working for the advancement of women have limited time because they must hold their official jobs and the budget for NCFAW is limited.

The Viet Nam Women's Union (VWU) is another organization that has made great contributions to the advancement of the women. Established in 1930, the VWU is a mass organization and part of the socialist structure; it advocates for the women's rights and benefits and works on the four governmental levels (national, provincial, district, commune). The VWU is very strong on the local, grassroots level and has energetic and devoted staff experienced in activities of the women movement. Their staff members have contributed to monitoring policies related to women. They work in activities of hunger eradication and poverty alleviation. Staff members also encourage women to develop their independence and confidence to improve their overall abilities and participate in social, economic, and political activities and to improve the status of women both within the family and in wider society.

The VWU faces challenges in building a team of capable and knowledgeable staff to serve as consultants in monitoring the development and implementation of equality policies as well as in adjusting the activities of the VWU so that they remain suitable and beneficial to women.

After Renovation began in 1986, other Vietnamese NGOs were established and began to develop as a new form different from the mass organizations. By now, there are more than 300 Vietnamese local NGOs working in different sectors (*Source: Viet Nam Union of Science and Technology Association*), such as: poverty alleviation, enterprise development, infrastructure construction, education, health care, environment, HIV/AIDS prevention, legal support, gender equality, and women's rights protection, etc. Although Vietnamese local NGOs are relatively new, they have contributed to policy construction, development, and implementation where gender equality is one of the main purposes.

The biggest challenge for the new Vietnamese NGOs is their legal status in order to participate in government programs and serve as a resource.

3. The key issues:

Viet Nam has organized many positive activities and has achieved encouraging results in implementing policies of gender equality aimed at eradicating discrimination against women in every field. However, there is a divergence between women's rights as defined in legal policies and the reality. Many problems related to gender still exist. In this report, we will comment on issues related to women's rights and their participation in politics, the informal economic sector, education, health care, rural areas, the family, and domestic violence. These issues are summarized as the followings:

3.1. Violence against women:

Domestic violence takes place in many families in Viet Nam at different levels of society and in both urban and rural areas. As in many other countries, the issue is sensitive. Patriarchal beliefs assume that men hold all the rights in the family. These include the man's right to be served by his wife and children without any conditions, the man's right to beat them, and the man's right to violate the human rights and the honor of women. In Viet Nam, there are four kinds of domestic violence: physical, laboring, spiritual, psychological, and sexual.

Addressing domestic violence is difficult because it is considered the family's private affair, with the husband's right to "teach" his wife. This cultural bias keeps strong voices from protesting domestic violence. Even the authorities lack timely methods and strict solutions to the problem domestic violence. Women have little knowledge about their rights in the family; often, they have been brought up to accept domestic violence as their fate. The National Assembly is working on a *Law of Gender Equality* as well as a *Law Preventing Domestic Violence*. Implementation of these two laws should make the prevention and solution of domestic violence more effective.

3.2. Women Participation in Politics:

The rate of women participating in politics is low, under 30% in the National Assembly, around 20% in People's Council at all levels and only about 15% in all other official levels. The number of women who take highest positions at local level is very low, at less than 4%, with the exception of the central (national) level, where the rate is 12%. The participation of many women in People's Councils is "patterned". Women usually haven't got real power or sound voice in the governmental management structure. They tend to be deputies, instead of head authorities and usually take part only in social fields, such as labor, education, health care, population, women, children, etc. At grassroots level, the political authority resides in the hands of the men.

Because women have a low position in the management structure, they rarely have key leadership positions. Thus, the influence of women in the construction and implementation of policy in general and gender policy in particular is limited.

3.3. Women in Education:

Gender gaps in education exist especially in rural areas as well as among ethnic minorities. The number of girls attending primary and secondary schools in poor and remote areas is very low. This is especially true among ethnic minorities living in the mountains. Women comprise 70% of the country's illiterate. Their chances to access training, education, and job improvement are much more limited than those of men. They comprise 75% the unskilled laborers. The addition gender stereotype in the educational system and to textbooks has improved traditional gender roles and the job orientation of male and female students.

3.4. Women and Health:

Maternal health remains an issue. On average, seven women die from pregnancy or childbirth per day, with the fatality rate varying among regions. The lowland rate (81/100.000) is considerably below that in the highlands (269/100.000). Viet Nam is one of the five countries with the highest rate of abortion, with an official annually rate between 500,000 and 600,000. Teenage abortions counts for 20% all abortions.

STDs and HIV/ AIDS remain serious problems for women. In 2003, the official figure for STDs was of 137,618, of whom 103,792 were females. There seems to be an increase in the rate of HIV infection. The rate among pregnant women who are HIV positive has increased markedly from 0.02% in 1994 to 0.37 in 2005. Viet Nam has about 8,500 children from newborns to age 15 living with HIV. The number of orphans whose parents died of AIDS is about 22,000.

3.5. Female labor in the Informal Economic Sector (IES):

Although women make up a large part of the social labor force (over 20 million), many challenges face them in the informal economic sector. Women's chances of accessing communication, training, and new occupations are low. Moreover, their ability to compete in jobs is often less than that of men. They face other disadvantages, including unstable jobs, unsafe labor conditions, high volume of work combined with low and infrequent incomes. Women's labor rights regarding bosses and fellow workers are not implemented. In many places, women workers do not have labor contracts, leaving them at the mercy of their bosses. Also, they do not have medical and social insurance. Governmental policies do not reach these laborers in the non-economic sectors.

3.6. Rural women:

More than 70% Vietnamese are living in rural area. Most agricultural workers are women. In addition women do the housework and assume other family responsibilities, for which they receive no pay. They have a lower position than men both inside their families and outside in society. Prejudices about traditional gender roles are hard for women in the villages. The traditional concept assumes that men are the heads of families. This leads to dependence of women on the men even when women are the main source of income in the family. Women's voices are limited in their own families and in the community. They often feel inferior and resigned to their fates. This is especially true in areas where women receive little education.

Women villagers are unequal to men in approach and resource management. They have fewer chances to participate in official and unofficial educational activities and in programs encouraging agricultural expansion as well as in other programs providing social benefits.

3.7. Women in the Family:

Most of the housework is done by women, but they are not valued for this because their work does not produce income. Women spend from 17.2 to 17.3 hours/week on housework, nearly twice the amount of time for men, which is from 9.3 – 9.4 hours/week. Housework is not covered by the State social benefit policies. Nursery schools and kindergartens are not well developed. In 2002-2003, only 14,5% of the eligible children went to nursery school, and about 60% of the eligible children went to kindergarten. These schools have poor infrastructures with limited equipment.

Marriages between Vietnamese citizens and foreigners are accepted and supported by the Government. However, this situation is being exploited. Many women have become victims of trafficking; they have been raped, exploited as laborers and have suffered from battering. Since marriages between Vietnamese and foreigners are legal and since the Vietnamese women usually leave the country, this becomes a difficult problem to address.

4. Major recommendations:

4.1. Violence against women:

Broadly communicating to create public opinion on strict criticism of violence against women. Early issuing Law against domestic violence. Increasing law effect on protecting rights and dignity of women and girl children. Severely punishing domestic violence, trafficking in women and girl children and children abuse.

4.2. Women participation in politics:

Strengthening communication on women's political right. Boosting special measures implementation to increase the rate of women participation in leadership and decision making process in elective bodies, governance agencies, particularly in sectors where not many women take key positions.

4.3. Women in Education:

Granting special policy to create condition for girl children go to school especially for those in ethnic and remote areas. Investing in development of informal education system with the aim at making opportunities for women including needy women to access education, absorb technology in their production and life.

4.4. Women and Health:

Reinforcing investment in local healthcare systems especially those in poor rural, mountainous and remote areas. Mapping out positive measures on decreasing maternal mortality and abortion in adolescent. Issuing support policy to mother and children who are HIV carriers.

4.5. Female labor in informal economic sector (IES):

Conducting equal policies to IES. Improving social welfare system, ensuring right to receive services on social welfare of those whom are female laborers in IES.

4.6. Rural women:

Widely communicating gender equality in community to eliminate gender bias on traditional gender roles, create conditions for rural women to access and control resources. Implementing social insurance policy to rural women as well as social welfare policy to female rural immigrants whom removing to the urban area for their job seeking.

4.7. Women in the family:

Promoting communication on social significance of housework, men's responsibility for housework. Properly paying attention to pre-school education system and encouraging the development of social children-care system to guarantee children safety. Generating positive solutions to protect women who are Vietnamese brides of foreigners.

B. REPORT ISSUES

I. VIOLENCE AGAINST WOMEN AND GIRL CHILDREN

**** Relevant CEDAW articles: Article No 3 of Part 1, Article No 5a, Article No 6, include General Recommendation No. 19**

1.1. Context:

Previously, domestic violence in Viet Nam was only physical beating. Now, domestic violence is defined as: physical, economic (labor), psychological, spiritual, and sexual. Gender violence in the family is violence between the husband and wife. In most cases, the husband batters his wife and sometimes the children. The wife and the couple's children are the victims.

According to a report by the Ministry of Public Security, a victim of domestic violence dies every two or three days. In 2005, nearly 14% of murders were related to domestic violence (151/1113 cases). In the first three months of 2006, this rate was 30.5%. A report by the Health Department for the Mekong Delta noted that in 2005 there were 1.319 patients of whom 1.011 were suicides from domestic violence. In Tay Nguyen (Viet Nam's Central Highlands) provinces during there were 3.944 victims of which 715 were suicides.

According to a report by the Supreme People's Court for 2000 to 2005, the courts at all levels dealt with 186,954 cases of divorce arising from domestic violence. Battering counted for 51.3% of the reasons cited for divorce. During 2005, a total of 39,730 divorce cases (60.3%) involved domestic violence (*Source: The National Assembly Committee of Social Affairs, 2006*). The Committee of Social Issues- National Assembly – Assignment for the Law on Prevention Domestic Violence, No 2330 TTr/UBXH, 2006

National Committee for the Advancement of Women (NCFAW) – Combined report made by CEDAW in Viet Nam (Session number 5 – 6, 2000 - 2003) These figures are from official documents and are based on serious cases that have come to the attention of the authorities. However, because of the issue's sensitivity, many domestic violence situations are private and do not appear in statistics.

Domestic violence remains a complicated concern because men do not address this issue. Further, the solutions used by the authorities at all levels are not strong enough to prevent the abuse. The forms of domestic violence vary: beating by hands; battering by sticks or tools, such as rakes, shoulder poles, knives, and hammers; and acid thrown into the victim's face (*Source: Le Thi Quy*

and colleagues, *Survey on Domestic Violence in three provinces Hanoi, Phu Tho and Thai Binh, 2003 – 2005*. This project was financed and technical funded by the Swiss Development organization, UNFPA). According reports from many hospitals, up to 90% of acid attacks are rooted in domestic conflicts where the man destroyed the woman's face because "she was really beautiful and other men will stare at her." (Source: *The Legal Newspapers No 83, October 17th 1997*). One husband in Thua Thien Hue has beat his wife about every three days or up to 120 times per year for 15 years without intervention by the authorities (Source: *The Project on Gender Equality and Prevention Domestic Violence of Nordic Assistance Organization to Viet Nam (NAV) in Hue, 2006*).

Domestic violence appears in both urban and rural regions and at all levels of society. It affects every household, every community, and every area. In some places, domestic violence is public; in other places, it is kept secret. Domestic violence appears in families with a high level of education, among intellectuals, and among manual laborers. Mothers and pregnant women are victims. The root cause of this gender violence in the family is inequality and difficulties arising from economic challenges, alcohol, drugs, gambling, jealousy, extra-marital love affairs, no son for inheritance, personality differences, and differences in interests and lifestyles.

After the success of the August Revolution in 1945, two articles (Nos. 63 and 64) in the first *Constitution* (1946) of the Democratic Republic of Viet Nam sought to erase prejudices against women and eradicate violence against women. Subsequently, several laws and codes legally guaranteed gender equality. The most notable of these are the *Law on Marriage and Family* and the *Penal Code*. The specific articles are No. 1, 10, 11, 12, 13, 14, 15, 16, 17, 19 in the *Law on Marriage and Family* and articles Nos. 115, 125, 147 in the *Penal Code*. These regulate punishments violating the equality of women, battering, and trafficking in women and children. Recently, under the National Assembly recently-passed a resolution, "Fighting against Domestic Violence" is considered as part of the *Plan for Socio-Economic Development (2006 - 2010)*. The prime minister's *Strategy for Vietnamese Family Planning for 2005 – 2010* includes goals to strengthen programs against domestic violence to be executed with reduction in domestic violence by between 10 and 15% (Source: *National Assembly, 2006*)

No research exists for the incidence of domestic violence before Renovation began in late 1986. The first study on this issue started in 1990, and articles began to appear in newspapers, magazines, and journals. Now, many organizations and individuals research domestic violence. Some NGOs have established action plans and projects for studies and interventions. These NGOs

include the Research Center for Gender and Development (RCGAD) at the University for Social Science and Humanities; the Center for Education Promotion and Empowerment of Women (CEPEW); the Research Center for Gender, Family and Environment in Development (CGFED); the Informal Education Center for UNESCO; the Institute of Family and Gender; the Women's Health Studies Center, etc. Their research was submitted to the National Assembly's Committee of Social Affairs as part of the work on the draft *Law on the Prevention of Domestic Violence*, which will probably be passed by the National Assembly in 2007. This important step for Viet Nam indicates the determination of both the government and the citizenry to address this issue.

Trafficking in women and children was essentially unknown before Renovation began in the late 1986. Previously, Viet Nam's borders were more closed. Local people living along the Lao and Cambodian borders moved back and forth as they had for generations, but there was little or no outside traffic. The border with China was closed. Travel and migration within the country were both regulated. Renovation brought greater openness and new freedoms along with new problems, including trafficking in women and children.

Viet Nam's Confucian tradition holds that a woman belongs first to her father, then to her husband, and then upon her husband's death, to her oldest son. Unmarried women are perceived as an economic drain on their families. This creates pressure for young women to marry. Many young men from rural areas have migrated to the cities, leaving fewer young men as potential husbands. Facing pressure from their families, young women too easily fall prey to traffickers who offer them an easier life in another country.

No hard data exists on how many women and children have been trafficked. Initially, trafficking occurred mostly from communities bordering China and Cambodia. However, the phenomenon has now spread even to the center of the country. Women's Union staff in Tinh Gia, the southernmost district in Thanh Hoa Province in central Viet Nam, report that 555 women, ages 15 to 35, were trafficked from their district between 1991 and 2001, mostly to China. (Le Hoai Phuong, "Trafficking in Women in Tinh Gia District," [unpublished report], 6 June 2003, p. 5.) Very few of these women have returned because they have no papers, do not speak the local language, have no money, and do not even know where they are being held. The few who do return face discrimination in their home village.

1.2. Some Challenges:

1.2.1. No official data on domestic violence or trafficking:

Data collection on domestic violence is weak because many people, including leaders, think domestic violence is a private affair only. The sensitivity of domestic violence causes victims to remain silent and causes batterers to become obstructive. Lack of financial support for data collection is also a problem. The lack of data stymies research or leads to research that is not scientific. These factors, in turn, lead to a lack of attention to this issue.

Data collection on trafficking in women and children is also weak because local authorities regard trafficking as someone else's problem since the trafficked women and children have already left their locality. However, there are the means within Viet Nam to gather very good data on this issue. Viet Nam has a nationwide Women's Union on the national level and with an active presence in every province, every district, and every commune across the country. Women's Union staff members in communes know who has been trafficked from their commune and also know (or can find out) when these women left. Thus, the Women's Union's comprehensive and nationwide network makes it possible to gather reliable and verifiable data about trafficking from across the country to create a comprehensive picture of the problem.

1.2.2. Little societal change on these two issues:

Many hold that the husband has the right to "teach" his wife according to the widely held concept, "Prefer men and disparage women." Knowledge about the issue of gender equality on the part of local authorities and the citizenry is limited. Many people, particularly in rural and mountainous areas, hold that the wife's role is to serve her husband and children and to serve all men in general. Further, this role is a wife's "function," "tendency," "sacrifice," and "essential womanliness." This concept ties women to the main responsibility for housework, child-rearing, and care-giving. Women's work and its benefits to the family are regarded as minor. Often, they not even counted, leading to labor violence with women as the victims.

In many cases, a husband batters his wife because he thinks she looks ridiculous, and so he should beat her. Sometimes, husbands beat their wives because a meal is late. Sometimes, they beat them when they are pregnant, leading to the death of the couple's unborn children. In many cases, battered wives ask for help from their parents. However, the parents often force these women to return to their husbands' families, saying, "You're married. Now, you're under your husband's

authority. If he wants to beat you or teach you, that's his right. We have no responsibility in this matter.”

Community ignorance and the silence and isolation of the battered women themselves can even encourage the husbands' ferocity. Localities have received little public education about domestic violence. Further, the distance between local authorities and the citizenry differs, depending on the location. For example, urban communities are looser than rural areas. As a result, solutions can be more effective in rural areas. The situation of domestic violence continues among young males because they have not participated in education programs, are busy with their own lives, and consider this a women's issue.

Similarly, trafficking in women and children continues to be a “silent” issue with little public awareness because the women and children who are the victims are not considered important.

1.2.3. Prevention and solutions by local government, mass organizations, and the citizenry remain ineffective:

Prevention of domestic violence is not part of local socio- economic development policies. In many areas, domestic violence is regarded as a topic only for the VWU, with the goal being reconciliation even if the case is serious and is a major violation of the law. The usual intervention is to call the batterer before the People's Committee (the administrative branch of government) and require him to write a report. After that, he beats his wife even more because he assumes she informed on him with the authorities, even if someone else sounded the alert. If the batterer is asked to appear before the People's Committee again, then he is asked only to write another report. In occasional cases, women have been beaten to death after a husband was forced to write a report. In one case, a man battered his wife for ten years and wrote only one report. However, that same man beat the local police only once and was sentenced to over a year in prison.

Some people even think women should endure domestic violence as part of “loving” their husbands. They hold that women are battered because of their mistakes and so that the neighbors will not laugh at the husbands. Some police believe that large domestic violence issues should be mitigated and the smaller incidents should be ignored in order to preserve the village reputation. The core causes here are a lack of knowledge about the need for gender equity and the dangers of domestic violence, the limited effectiveness of the law, a lack of sanctions, and a lack of monitoring of the implementation of laws on the local level.

Trafficking in women and children is basically an economic problem. Effective prevention can be two-fold: 1) education at the most local level among vulnerable groups of young women and teenagers about the realities and dangers of trafficking and how to recognize a trafficker so as not to become a victim, and 2) income-generation programs for young women and teenagers so that they have their own economic base and are not dependent either on their parents or their husbands and, hence, are not easy prey for traffickers.

1.3. Recommendations:

1.3.1. To the Government:

Gradually perfect the legislative mechanism, including the *Law on Marriage and Family*, the *Law on Gender Equality*, the *Law on the Prevention of Domestic Violence*, and the *Penal Code* and build a *Law on Trafficking in Women and Children*. Strengthen the legal system with detailed measures to prevent domestic violence and trafficking and to punish offenders. Support victims of domestic violence and trafficking and their children. Carefully monitor the implementation of laws and sanctions at all levels and in all areas.

- Strengthen public education programs for legal offices and villages on domestic violence and trafficking and their prevention; provide legal assistance to affected women.

- Equip the staffs of local authorities, mass organizations, and NGOs with the specific skills they need for intervention when there is a situation of domestic violence or a situation with trafficking, including rescue for victims and their children, education, consultation, punishment for offenders, and quick settlement to insure public security in the local area.

- Place a high priority on the early organization of a nationwide sociological survey on domestic violence and a nationwide sociological survey through the National Women's Union on trafficking; publicize the official data gathered from both surveys. Complete frequent and comprehensive studies on domestic violence and frequent and comprehensive studies on trafficking in women and children.

1.3.2. To the Community:

- Use the community's strength under the management of local authorities to prevent domestic violence and trafficking, to ensure sound reproductive health, gender mainstreaming, and the implementation of gender equality in both the family and society.

- Concentrate on prevention of domestic violence and trafficking by using the means that are most effective and least expensive. Address and solve cases involving the perpetrators of domestic violence and trafficking. Create united actions from the local authority to the mass organizations, NGOs, families, and the community to establish a network in the communes and hamlets that can create strong community movement against domestic violence and trafficking.

- Enter domestic violence and trafficking into village law and monitor the implementation of these laws at the village level. Punish violators according to the law. Encourage the active role of nuclear and extended families for the education and prevention of domestic violence and trafficking.

- Provide income-generation projects for young women and teenagers so that they have their own economic base and do not become prey to traffickers.

1.3.3. To Families:

Educate family members, in particular the heads of households, in the responsibility of all members of the family through local movements to build new cultural families without domestic violence and to build cultural communities without trafficking in women and children. Create opportunities for family members to participate in local movements that curtail social problems associated with domestic violence, in particular, to prevent of drug abuse, alcoholism, and gambling. Create opportunities for family members to participate in local movements in opposition to trafficking of women and children.

1.3.4. To Individuals:

- Through the mass media, encourage individuals – especially men – to participate in local social movements and activities regarding gender equality, the rights of women, the prevention of domestic violence, and prevention of trafficking in women and children. Each individual should become a public educator who prevents domestic violence and trafficking and who will intervene if and when domestic violence or trafficking occurs.

II. WOMEN PARTICIPATION IN POLITICS

**** Relevant CEDAW articles: No 7a, 7b, 7c, 5a and 16, include General Recommendation No. 23.**

2.1. Context:

Women participate in politics not only because it is their right but also to promote their potential contribution to the nation's development. Gender equality in political life is a ladder toward women's equal participation and power in the political system.

Viet Nam's Constitution (1946) asserted women's right to participate in politics. Viet Nam's amended Constitution (1992) says in Article 63: "Vietnamese citizens have equal rights in all aspects of economics, politics, culture, society, and the family."

Since Viet Nam government ratified *The Convention on the Elimination of all Forms of Discrimination against Women - CEDAW* in 1982. The Communist Party and the government have promulgated resolutions, instructions, policies, and laws in order to guarantee women's rights and promote the role of women in the reform process to create a strong nation with prosperous people and an equitable, democratic, and civilized society.

The Directive No. 37 – CT/TW of 16th May 1994 by the Central Secretariat of the Communist Party on "The Women Cadres Affairs" notes: "...Increasing the percentage of women in Government management and in socio-economic management is significant in order to realize women's equal democratic rights and is a condition to promote women's intellectual talent and social position."

The National Strategy for the Advancement of Vietnamese Women to 2010 emphasizes women's participation in leadership and decision-making and includes concreateed goals for participation of women in the National Assembly (30%) and the People's Councils (28% on the provincial level, 23% on the district level and 18% on the commune level).

Women's suffrage and the right to stand for election was stipulated in the Constitution and by the National Assembly in the *Election Law* (1991) and the *People's Council Election Law* (2003).

Directive No. 49/CT-TW (1991) of the Commission of the General Secretary of the Central Committee of the Vietnamese Communist Party guarantees a certain percentage (See below) of

women in the National Assembly and all levels of People's Committees; Directive No. 31- CT/TW of the Political Bureau of the Vietnamese Communist Party on 26 November 2003 on guiding the People's Council elections at all levels for the 2004 – 2009 term.

The efforts of Government, NCFAW, the Women's Union at all levels and social organizations in promoting the policy of gender equality by improving gender awareness, by training women, and introducing women into leadership and decision-making positions have contributed to the growth in quality and quantity of women cadres.

Women do appear in decision-making positions in different fields at different levels, especially in some top-level positions, such as the country's vice-president, secretary of the Central Committee of Communist Party, ministers, presidents of some People's Committees, and presidents of some People's Councils. Women account for 27.3% of the National Assembly, 20-24% of People's Council depending on the level, and 10-16% in government management agencies depending on the level. Female judges are 21-25%, depending on the level (*Sources: Office of the National Assembly, 2003; Ministry of Home Affairs, 2005; Supreme Court, 2006*)

Women also participate in other organizations, such as the Farmers' Association, Trade Union, Youth Union, and social-professional associations. Excluding the Women's Union, their leadership in these organization is 25-30% (*Source: Organization Department of Vietnamese Women's Union, 2004*).

Most women in leadership and decision-making positions accomplish their mission, contribute to governmental management and policies, and gain the people's trust. However, the number of women involved in political life is still modest, compared with the figure for women's participation as laborers at 49%. In reality, the laws and gender-equality policies are not effective. The potential of women is not maximized, and the voice of women in decision-making is limited.

2.2. Challenges:

2.2.1. Women's participation in elected bodies and the voice of women in policy is limited:

The rate of women in the elected bodies did not reach the goal. Women account for 27.3% of the National Assembly. The breakdown of the rate for People's Councils is even lower at 23.8% for the provincial level, 22.94% for the district level, and 20% (*Source: Organization Commission of the Party Central Committee, Review report on 10 year implementation of Directive No 37-*

CT/TWW on Women Cadre Affairs, 2004) for the commune level. Many women elected to the National Assembly and People's Councils lack the needed skills and experience. Thus, they are not represented by electors in establishing laws and policies for national and local social economic development.

Women rarely hold key positions; most of the permanent positions in the People's Councils at all levels are held by men. Female presidents of the provincial-level People's Councils are only 1.56%; the district level is 3.9%; and the commune level is 4%. The percentage of female vice-presidents of the People's Councils at all levels accounts for less than 20% (*Source: Organization Commission of the Party Central Committee, Review report on 10 year implementation of Directive No 37-CT/TWW on Women Cadre Affairs, 2004*).

This situation weakens women's voices and does not promote the positive changes in policy that could benefit the people in general and promote gender equality in particular.

2.2.2. Women have little power in the state management system, and some fields are monopolized by men:

The percentage of women holding leadership positions in governmental management agencies at all levels is low and unsteady. Women ministers and their equivalent are only 12%, a drop of 0.6% from the previous term. Only 4% of the presidents of People's Committees are women, an increase of only 1.5% at the provincial level, 0.4% at the commune level, and a decrease of 1.65% at the district level. Women appear more at the vice-presidential level, and there is a greater increase. The percentage of vice-presidents of People's Committees at all levels is around 15% (*Source: CEPEW report to the Consultation workshop on Vietnamese gender equality law, 2005*). Female vice-presidents of People's Committees at all levels are usually assigned only to socio-cultural duties.

Female leaders usually appear in social fields such as public health, education, demography, labor, and family and children. Men continue to control strategic fields, such as research, economic management, planning and investment, technological management, human resources training as well as the right to assign and promote staff.

2.2.3. Political power at grassroots level rests almost exclusively with men:

Currently, 75% of the population lives in rural areas. Therefore, most Vietnamese women live in rural areas.

A large gap in socio-economic development exists between rural and urban areas, with corresponding gaps in opportunities to access good education, information, technology, and social services. These factors affect women's participation in the political life of their communities.

The percentage of women participating in the Communist Party's Standing Committee, People's Committees and People's Councils is insignificant. Only 4.2% of the general secretaries of Party Committees are women; only 4% of the presidents of commune People's Councils are women, and only 3.4% of commune People's Committees are women. Women vice-presidents are 5% in Party Committees, 10.6% in the People's Councils, and 8.8% in the People's Committees (*Source: Organization Department of Viet Nam Women's Union, Review report on 10-year implementation of Instruction 37/CT/TWW on Women Cadre Affairs, 2004*).

The skills and experience of women at grassroots level is inadequate. Many haven't had enough conditions for their preparation to serve as elected representatives. Women in government lack training; therefore, their ability to participate in decision-making and policy implementation is limited.

Women participate in different organizations such as the VWU, Farmer's Association, the Red Cross, and various clubs at all levels. However, economic difficulties, insufficient access to information, and a lack of confidence and ambition keep many women from asserting their democratic rights in discussing issues within their communities.

2.3. Causes:

2.3.1. Gender prejudice against women as second-class citizens is a big challenge:

Patriarchy and centuries of Confucian ideology placing women in a lower position is deeply embedded. In general, Vietnamese still hold that housework is for women and political work is for men. Prejudice against women as inferior has created distrust in the capacity of women to lead. It is assumed that women lack certain characteristics, such as determination and the ability to analyze and organize. This is a primary reason women rarely appear in principal leadership positions. Patriarchal ideology influences many leaders of all levels, especially those working in human

resources management with female staff. Thus, women staff are given few opportunities and tend to develop slowly. Gender prejudice also holds that women can lead only in certain fields.

2.3.2. The government still faces many difficulties during the implementation of women cadre affairs:

Special measures for promoting women's participation in politics have been set but lack legitimacy and focus only on elected bodies. This leads to difficulties in actual performance. The organization of elections in many places is still not democratic and remains unfair to women. Committees bring women into the structure just to maintain the componential percentage of the National Assembly and People's Councils as well as arrange women and men in the candidate list without considering their equivalence in terms of competence, capacity, educational level, and experience. For some nominated positions, women candidates have had much less competence than men have.

There is a lack of policies creating conditions for women to be trained, employed, and promoted.

2.3.3. Lack of responsibility and commitment from the heads of different sectors at all levels:

The heads of different sectors at all levels pay little attention to planning and implementing human resources objectives for women. These short-comings include finding sources, training, and employing and promoting women. In addition, they haven't been bold enough to assign or promote young women staff.

There is a lack of supervision and assessment of women's policies and a lack of administrative solutions in rewarding the units that perform well and punishing the units that perform badly in terms of policies regarding women.

2.3.4. The role of NCFAW and the VWU in advising and supervising policy is still ineffective:

NCFAW and the VWU at all levels are still not effective in advising on policies for women; they could be more active in proposing and monitoring policies on women; there is a lack of cooperation among social organizations working for the advancement of women.

The roles of NCFAW and the VWU are still limited and are not effective in introducing women into politics.

The mass media remains ineffective in communicating gender policies and in promoting a good image of women leaders and laborers.

Social organizations and staff in government agencies and communities remain ineffective in supporting and encouraging women's participation in leadership structures.

2.3.5. Family Burdens:

Housework is still seen as the main duty of women in the family. Therefore, women usually place greater priority on their families than on their careers. Many women have refused promotions in order to take care of their families or to support their husbands' careers. The family burden is exacerbated by poor public services, including a poor health care system and a limited kindergarten system, especially in rural areas.

Housework has negatively impacted women's health and opportunities to study and participate in social activities and has limited women's ambitions.

Economic difficulties are also a barrier preventing women from participating in management, especially in rural areas.

2.4. Recommendations:

In order to increase women's participation in politics, the government should:

2.4.1. Enhance communication on gender, CEDAW, and the Vietnamese *Law on Gender Equality* in the society, especially for staff and leaders of governmental agencies in order to eliminate gender prejudice and discrimination against women's participation in politics.

2.4.2. Enhance special measures by following figures established for women's participation in political life, both in elected and administrative governmental bodies, and focus first on fields with few women in leadership positions.

The system for organizing elections needs to be changed to further favorable opportunities for women to run for election and be elected, as follows:

- Enhance the role of the VWU in the Election Committee, especially regarding the introduction of women nominees.
- Improve the capacity of women in the People’s Councils (and even in the National Assembly) to maintain the gender composition and improve their skills.

2.4.3. Determine the responsibility of the heads of all sectors at all levels in employing more women staff according to the defined rate for women’s participation in politics.

Encourage establishment of resources and training for women, especially for young women, in order to overcome the shortage of human resources; define a quota for women staff in training courses, especially at the basic level; build gender policies to encourage women to take charge in important positions (support with materials, conditions, training, employment and promotions).

2.4.4. Issue the *Law on Gender Equality* and build a specific mechanism to enhance the role of NCFAW and the VWU in advising and monitoring women’s participation in politics.

2.4.5. Implement policies to encourage public services such as the kindergarten system and the health care system in order to reduce the family burden on women.

2.4.6. Create conditions for social organizations to participate in activities supporting women in leaderships and decision-making.

III. WOMEN IN EDUCATION

**** Relevant CEDAW articles: No 10 and No 14d.**

3.1. Context:

Education is a top priority in Viet Nam’s national development. The country’s laws and educational policies are gender-neutral: Males and females have the same rights and opportunities for education and personal development, regardless of gender. The government has promulgated the *Education Law* and a series of legal documents about educational development policies. Outstanding achievements in education have reflected the government and society’s efforts to eliminate gaps in education and development among regions of the country in order to reduce poverty and to support economic development.

Viet Nam has a complete educational system in all regions and at all levels with many different forms of school and an increasing number of students. The government's *National Action Plan on Education for All* (2003) set key goals to be achieved by 2015: All children will have access to high-quality education; the country will have universal primary education, with special attention to girls in remote and ethnic-minority areas; Viet Nam will eliminate the gender gap in primary and secondary education by the end of 2005 and will achieve gender equality in education by the end of 2015.

In 2000, Viet Nam reached its national standard for literacy and universal primary education. Latest statistics and survey results from 2004 show that the literacy rate in Viet Nam is at a high level (96% for men and 91% for women). The average number of years for school attendance is 7.3. This reflects the effort to achieve the country's human- development goal.

The gender gap in school enrolment has decreased remarkably. During 2002-2003, the percentage of enrolled girls was close to that of boys, as follows: Primary level, 47.49%; secondary level, 47.26%; high school level, 47.36%. The percentages of girls graduating were 47.57%, 48.17%, and 47.17% respectively. The percentages of girls studying in colleges and universities of sciences and technologies during 2001-2002 were not high but have increased, reflecting a positive change in orientation toward professional women in the society. Viet Nam's achievements in education allow the country to rank with other Asian- Pacific countries that have higher living standards than Viet Nam. This contributes substantially to raising Viet Nam's HDI rank. (*Source: NCFAW, Viet Nam Gender statistics in the early years of the 21st Century. Hanoi, 2003,pp29*)

3.2. Challenges:

Main issues discussed in this chapter:

- The gender gap still exists in education among regions and among all ethnic groups.
- The percentages of girls going to school or completing educational levels are still low.
- The percentages of girls dropping out of school or not continuing to the next educational level are still high.
- Illiteracy is more common among females.

- Gender prejudices still exist in text books and in the fields studied.

Challenge 1: Gender inequality in education still exists in all regions and among all ethnic groups:

Female literacy rates are consistently lower than those for males in all regions but especially in the Central Northern Highlands, the Central Highlands, and the Mekong River Delta. While the female literacy rate in 2002 reached 92% for the Kinh (ethnic Vietnamese), it was 89.2% for ethnic Tay, 69.8% for Thai, and 21.9% for H'Mong. Comparable figures for men from the same ethnic groups are: 96.6%, 95.3%, 89.6%, and 53.1% (Source: NCFAW, *Gender statistics in the first years of the 21 Century. Hanoi, 2003, pp24*). Generally, the female literacy rate for ethnic-minority groups is only 74% compared with 94% for Kinh and Hoa (ethnic Chinese). (Source: Melissa Wells. *Viet Nam Gender Situational Analysis prepared for Asia Development Bank, 11/2005, pp30*)

Gender differences in the school enrollment become larger when other factors are considered, such as regional differences, rich and poor families, urban and rural differences, and ethnic groups. The majority of children (87%), ages 6 to 14 who do not go to school live in rural areas or are from ethnic-minority groups (50%). Ethnic-minority groups tend to be the poorest groups in the society. (Source: NCFAW, *Situational Analysis and Policy Recommendation to Promote for the Advancement of women and gender equality in Viet Nam. Project VIE-96-001, 2002, pp28*). The gender gap widens in levels of higher education, such as high school, college, university, and post-graduate education. This situation has not improved even though access to colleges and vocational schools has been enhanced.

1.a. The percentages of girls at primary and secondary schools and higher levels of education in poor regions and among ethnic-minority groups are low, especially among certain ethnic minorities who live in the very high mountains and in remote areas.

There is evidence that more than one-third of girls do not graduate from primary school. Girls account for 70% of the children who drop out of school. Girls living in rural areas in the high mountains – especially the H'Mong, Yao, Kh'Me in the very high mountains – are the most disadvantaged. The SAVY Survey (Source: MOH, GSK and UNICEF, *Survey and Assessment of Vietnamese Youth. Hanoi, 2005, p27*) shows that up to 19% of ethnic minority girls have never been to school.

There are many causes for this problem, but the main reasons are poverty, early marriage, preference given to boys, poor transportation, language barriers, low-quality education, and poor infrastructure.

Expenditures for education comprise a substantial part of household expenditures, especially for families with two or more children going to school. Research shows that expensive tuition fees are the most common reason causing children to drop out at the primary and secondary level. (Sources: Danielle Belanger and Jyanie Liu, “Social policy and daughter’s schooling in Viet Nam” in *International Journal of Educational Development*, No,24. 2004,pp 23-38; Vu Quang Viet ,2006 *Expenditure for Education: “shocking” numbers. The Viet Namnet*,16/2/2006).

Girls from poor families are the most disadvantaged in term of access to education because parents choose to send their sons to school if they cannot afford to send all their children. Therefore, although the government’s education policy is gender neutral, the reality shows clear preference to boys.

1.b. Illiteracy emerges for certain groups of people, especially females:

Illiteracy remains a serious problem. Statistics show that a number of adults age 35 and over, especially females, are illiterate in the following provinces: Ben Tre and Dong Thap (24%), Ha Giang and Quang Tri (50%). Of particular note, 20% of the cadres of the VWU are illiterate. This phenomenon exists even in large urban areas. According to a survey by the VWU of Ho Chi Minh City, 3,500 women in the Ho Chi Minh city are illiterate. One reason is the lack of a literacy course since the city has been certified as having solved this problem. Moreover, such courses pay little attention to women but concentrate instead on the men. (Source: *Three obstacles on the women’s progress, The Vietnamnet*, 10/6/2004)

Challenge 2 : Opportunities for women to access professional education are limited:

Job training for the labor force is at a low level, especially in rural areas. Special attention should be paid to the differences between men and women in this field. Nationally, only 6% of females aged 13 and over receive job training in comparison with 9% for males (Sources: Do Thi Bich Loan, *Gender issues in education in Viet Nam*;
http://www.unescobkk.org/fileadmin/user_upload/appeal/gender/Viet Nam.doc)

The percentage of ethnic-minority young women and young women in rural areas who acquire professional skills remains very low. The SAVY survey (2004) shows that rural youth have limited opportunities to access job training compared with urban youth. Females from age 22 to 25 have even fewer opportunities than males of the same age, at 24% compared to 30% in rural areas and 38% compared to 51% in urban areas (*Source: MOH, GSK and UNICEF, Survey and Assessment of Vietnamese Youth. Hanoi, 2005, pp34-35*). During 2001 and 2002, about 2.9 million people received job training, but only 30% of them were female. (*Source: Melissa Wells. Viet Nam Gender Situational Analysis prepared for Asia Development Bank, 11/2005, p33*). A survey in 2000 done by MOLISA (Ministry of Labor, Invalids, and Social Affairs) and the ILO (International Labor Organization) shows that job skills of female worker were much lower than those of male workers and that women accounted for three-quarters of the unskilled workers. (*Source: Melissa Wells. Viet Nam Gender Situational Analysis prepared for Asia Development Bank, 11/2005, p33*).

Females living in many rural areas do not have access to training courses on technology, including agricultural-extension and forestry-extension programs. Statistics show that women are only 25% of the participants in training courses on breeding techniques and are only 10% of the participants in farming programs. Agricultural extension offices are short-staffed, and most of the staff are men, even though most farmers are women. (*Source: NCFAW, Situational Analysis and Policy Recommendation to Promote for the Advancement of women and gender equality in Viet Nam. Project VIE-96-001, 2002, pp36-37*)

Young laborers, especially women, are kept out of high-income jobs that require high skills and technical knowledge because they have not had access to job training.

Challenge 3: Gender prejudices limit the opportunities in education and development for women. Gender prejudices still exist in text books and in the school curriculum:

Text books, especially at the basic educational levels, still have illustrations reflecting traditional gender norms about the roles and work of men and women.

Research on text books in three subjects – Vietnamese language, morality, and citizens' education – shows that gender patterns in Vietnamese text books are still heavily traditional. Girls and women are portrayed in their traditional gender stereotypes – doing reproductive work, housework, taking care of the sick, and as suitable only for jobs as teachers, nurses, or manual work. Girls and women are described as shy, gentle, hard working, dependent on others, and with lower

status than men. To the contrary, boys and men are described as leaders, scholars, explorers, and engineers. Boys and men are seen as strong, rational, confident, good at technology, independent, heroic, brave, and respectful. (Source: NCFAW, *Situational Analysis and Policy Recommendation to Promote for the Advancement of women and gender equality in Viet Nam. Project VIE-96-001, 2002, pp32-33*)

Moreover, the current gendered segregation of professions may discourage women from studying fields considered as reserved for men. This could deepen the gender imbalance in these fields. Meanwhile, encouragement for women to study and work in technology is limited. Some fields do not recruit females. (Source: NCFAW, *Situational Analysis and Policy Recommendation to Promote for the Advancement of women and gender equality in Viet Nam. Project VIE-96-001, 2002, p36*)

Statistics indicate that the majority of women attend schools of pedagogy and social sciences, while the majority of men follow technological fields. This difference will limit capacity and opportunities of women to participate in the labor market, which is currently changing to keep pace with updated science and technology in order to facilitate the country's integration into the global economy.

3.3. Recommendations:

- Conduct a survey on national illiteracy and, based on the results, immediately devise an Action Plan to fight against illiteracy in the areas where this problem is prevalent, especially among women.

- Enhance the boarding-school system for remote and rural areas and improve the living conditions in boarding schools, with special attention to improved living conditions and to girls so they have access to education.

- Develop policies to give priority and specific solutions to encourage poor families and ethnic minorities to send girls to school (e.g.: provide scholarships, transportation fees, lunch fees, etc.)

- Encourage and support civil society – NGOs and civil associations – to participate in informal education and part-time education; encourage study activities to eliminate illiteracy among both children and adults. Develop the informal education network in poor areas to create

opportunities for girls to study while they continue working to help their families; extend job training centers to the rural areas.

- Develop priority policies for women to study technology, especially agricultural technology. Mainstream gender issues and gender equality in training courses for men and women. Implement priority policies to encourage women of ethnic-minority groups to attend agricultural and forestry extension training.

- Build up a strategy for recruiting teachers who are from ethnic groups, especially female teachers, and develop bi-lingual educational curricula for larger ethnic-minority groups that have low percentages of children attending school.

- Provide gender sensitivity training to raise gender awareness for the designers of text books and members of the Committee Assessing Text Books; conduct gender training on mainstreaming gender issues in teacher-training programs, especially at the basic educational level. Assure that text-book illustrations are approved only if they are gender sensitive.

IV. WOMEN AND HEALTH

* *Relevant CEDAW articles*: Article No 5 (b), No 10 (h), No 12, No 14 (2b) and No 16 (1e), include General Recommendation 24.

4.1. Context:

In recent years, parallel with many renovation on socio – economic development, the people’s living standard have obviously increased, poverty rate has been remarkably decreased. In the last ten years, the work of people healthcare has continuously achieved many great successes. The policy of family planning has partly affected to the level of population increase, the average number of children in every family has step by step declined, the living standard of people is improving therefore people, especially women have time and conditions to take much care of their health. In accordance is the upgrade of the infrastructure in both urban and rural areas, create more convenient chances for the medical healthcare.

Vietnamese government has enforced many regulations and laws to the people’s health care, improved the health of the people in all levels, paid attention to the strengthening of healthcare services, beside that is the guarantee of equality and effectiveness in the procedures of people’s health care. The details as followed:

- On 15th October 2002, Degree No 139/202/QĐ- TTg of the Prime Minister has enforced on the medical treatment to the poor. It is said to be the timely suitable, right and effective to support the poor in a more positive, comprehensive and comfortable way on medical examination and treatment.

- Moreover, Ordinance on private medical and pharmaceutical practicing in 2003; the Strategy on Caring and Protecting people's health in the period of 2001 – 2010; the National Strategy on the Reproductive Health in the period of 2001 – 2010; the national goal programme on the prevention against some social diseases, serious plagues and other policies as well.

- It is also the National Strategy to the prevention of HIV/AIDS in the period of 2010 and the vision of 2020. The common goals are to restrain the rate of HIV/ AIDS infections in the community less than 0,3% in 2010 and then not to increase after 2010, reduce the bad effects of HIV/ AIDS to the socio – economic development.

- Law on HIV/AIDS prevention has approved by the National Assembly in June 29th 2006 and will be affected from June 1st 2007. The law practice will contribute to solving legal problems regarding interventions on reducing HIV/AIDS harmful effect as well as to sound implementing National Strategy to the prevention of HIV/AIDS in the period of 2010 and the vision of 2020.

- The Law on Gender Equality and Law on the Prevention Domestic Violence have been developed. The birth of the two laws will contribute to the improvement of women equality in the field of health care.

4.2. Challenges:

4.2.1. Maternal mortality

a. Situation

In recent years, the program of reproductive health has only been get a success in the urban areas or partially in some developing rural areas. Poor, remote, difficult areas are having troubles in implementing this programme. The ratio of maternal and infant mortality are reducing, even though it is at a very low level. According to the statistics from the Ministry of Health, in 2002 there were 91 deaths over 100.000 cases, and the numbers seemed to reduce in 2003, of 85 cases over 100.000. However, according to the estimate of UNICEF/ WHO the ratio of maternal mortality in Viet Nam is much higher. According to the results from the researches (2001 - 2002) the estimated amount in average was 165 over 100.000 cases of child bearing. On average, there are 7 mothers dying /day while she is pregnant or giving birth to the child. The ratio of maternal mortality in difference areas had not the same. The highest number is found in the mountainous areas and in ethnic minorities.