

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**

With financial assistance from: *The United Nations Development Fund for Women (UNIFEM)*
The Embassy of Switzerland
Action Aid Viet Nam

Ha Noi - 2006

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.

The writers like to give our grateful thank to United Nation Development Fund for Women (UNIFEM), the Embassy of Switzerland, and Action Aid Viet Nam for financially supporting the collection of information and data, the making and publishing of the report. We would also like to thank Ms. Vu Thu Hong, former national coordinator; Mr. Vu Ngoc Binh, the programme manager for the CEDAW SEAP National Program of UNIFEM in Viet Nam; Ms. Tanja Zangger, the second General Secretary of the Embassy of Switzerland; and Ms. Doan Thuy Dung, the gender officer for Action Aid Viet Nam. Their support and contributions in preparing and editing the report have been of great value. We would also like to thank the International Women's Rights Action Watch (IWRAP Asian Pacific) and their specialist, Rea Abada Chiongson, for support in the techniques of report-writing.

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.

For example, the ratio of maternal mortality in the low land is 81 over 100.000 while the number of the mountainous areas is 269 over 100,000. (*Source: Health's Life Newspaper, The situation of being a safe mother in Viet Nam , September 28th 2005*)

Up to 56.3% of the pregnancies in the mountainous areas has not been examined during the time of pregnancy and only 42% of the maternity has been taken care by doctors or nurses while they are child bearing (*Source: The Vietnamese Strategy of Population 2001-2010*). The tasks of Information Education and Communication (IEC) are not totally satisfied both in the quantity and quality; the system of providing Reproductive health/ family planning do not meet the convenience, safety, variations and high quality as well.

b. Causes

Because of the slowly renovated medical system and the healthcare service do not satisfy the high and various demands of the people. The capital budget for medical treatment is still very low especially in the local level (*Source: The paper of Minister of Health – Ms. Tran Thi Trung Chien at the National Party Congress No X*). Even the system of private health clinics is developing, it is only in a small scale, mostly it serves the tasks of medical examination and outpatient treatment.

The investment for the resources does not meet the real needs of the society. Moreover, there are some contents in the mechanism of managing the resources are not suitable; the tasks of monitoring and evaluation are not implemented effectively. There lacks of equipments, essential medicines in obstetrics, doctors and nurses to cure in emergency as well as to the treatment of obstetrical accidents in every regions. There are midwives in only 40.6% of the commune health centers (CHCs), and the rest is obstetrical physicians. There exists the situation of shortage of equipments and devices in most commune health centers. About 9.8% of the commune health centers is said to be standardized according to the evaluation of the Ministry of Health, it is a very low rate (*Source: National Medical Survey 2001-2002*).

The gap between the rich and the poor is also an important factor that causes to the inequality in receiving medical health care treatment and services. The rate of ethnic minority people come to hospitals to receive healthcare services in mountainous areas is much lower than that the delta regions (3.4% compared to 25.9% of the population/ per year) (*Source: Pham Manh Hung, Truong Viet Dung, Goran Dahlgrem: Medical reform according to the orientation of equal and effective – the Vietnamese points of view on some basic issues; Hanoi – January 2001*). The policy of paying a part of medical costs which was implemented in 1989 has contributed to the supplementary source of financing to the hospitals, however, it was also a limitation to the access of poor and low earnings people to the hospitals. The rate of hospital utilizing of a group of 20% of the rich is four times higher than 20% of the poor, that is why it leads to the conditions of “opposite subsidiary” – the

higher earnings receive more social welfares than ones of lower levels (*Source: Viet Nam Net: The rate of abortion highest in the world - December 15th 2004*).

The data separated between gender is limited now, the system of local medical treatment does not satisfy the gender needs. The gender prejudices are one of the reasons that lead to rare access of the women to the medical services. Besides, the role of taking care of the family lets many women have no time to look after themselves. Traditional customs and psychological factors on the size of the family and sex of the children (sons are preferable) are deeply rooted especially in the poor and remote areas.

4.2.2. Abortion in Adolescent/youth

a. Situation

Nowadays, the assessment of foreign lifestyle has greatly affected to the youth. The concept of having sexual relation before marriage has been changed in the youth and leading to the increase of having sexual relation before marriage, unwanted-pregnancy and abortion.

Viet Nam is one of the five countries which has the highest number of abortion in the world. According the Ministry of Health, there are about 500,000 to 600,000 cases of abortionists are officially announced, this number does not include the abortion in the private health clinics. The rate of abortion is 83 over 1000 in women at the age of reproductive and the ratio of abortion is 2.5 times per woman⁶. The urgent announcement is that the rate of abortion in adolescent and youth is rather high. According to the Ministry of Health, annually in Viet Nam, the cases of abortion counts for 20% of all cases (there are 26.1 million of in adolescent and youth in Viet Nam, counts for 31.5% of the whole country's population).

Having sexual relation before marriage and then abortion at the age of in adolescent lead to many problems to the reproductive health of the youth as well as the physical and spiritual hurt, family happiness... Many of the youth are the victims of hemorrhage, infection, placental retention, hole in uterus and so on. The number of children under 15 infected from sexual transmitted diseases is 1.16% (gonorrhoea) and 1.5% other sexual transmitted diseases (The Association of Family Planning, 2004) (*Source: Viet Nam Net: The rate of abortion highest in the world - December 15th 2004*). There are 5% of girls under 18 are mothers, 15% of them are under 20, the risk of maternal mortality under 20 is five times higher than that of the maternity from 24 – 25 (*Source: Viet Nam Net: The rate of abortion highest in the world - December 15th 2004*).

b. Causes

It is because of the concept of the youth about the lifestyle has changed that is “modern life and modern love”. Because of the relation in the family is not open enough. According to a study, when there happens a problem in friendship, love only 4% asking for advices from their parents, 70% of them coming to see their friends or lovers (*Source: Ephata Viet Nam: The situation of pregnant and abortion at the age of teenagers in Saigon city (extracted from , No 17, in 2001)*).

In the issues of sexually relations, females are always stand on the passive position therefore they have less chances to make a decision or negotiation on a safe sexual relation. It is also a lack of sexual knowledge and reproductive health that leads to the unsafe sexual relation. The high rate of abortion in adolescents are from the reasons of not using contraceptive methods or being rare to look for Family Planning methods (59%) (*Source: Nguyen Truong Nam, Report “Comprehensive Community-Based Approach to adolescent Sexual and Reproductive Health (ASRH) in Hoa Binh Province, Viet Nam”, 17/8/2006 Viet Nam RHIYA Programme – RAS/03/P52 (2003-2006)*). It is also the study to show that only the women who are married have problems of reproductive health and be able to use these Family Planning services and that also let the women who have not got married to see and ask for these services (56%) (*Source: Nguyen Truong Nam, Report “Comprehensive Community-Based Approach to adolescent Sexual and Reproductive Health (ASRH) in Hoa Binh Province, Viet Nam”, 17/8/2006 Viet Nam RHIYA Programme – RAS/03/P52 (2003-2006)*) and they gradually becoming the groups of easy injured in the society. Sometimes the bad behaviors of medical staffs to the poor, prostitutes and adolescents affect to their assessment of medical treatment.

Nowadays, the services of abortion are allowed and made public everywhere. Whenever there is a need, there is a supply without any difficulty and much cheaper than before. Most of the unmarried pregnant women did their first abortion is about 83.2%, but when the first abortion is done, there will be the second, the third and the most important thing is that many women believe that abortion is one way of contraceptiveness (*Source: Ephata Viet Nam: The situation of pregnant and abortion at the age of teenagers in Saigon city (extracted from , No 17, in 2001)*).

In recent years, many of adolescents and homeless children have been becoming the victims of sexual trafficking and exploiting. The reality helps contribute to the rate of abortion in adolescents.

4.2.3. The situation of STDs and HIV/ AIDS infection

a. Situation

The situation of **STDs** and HIV/ AIDS infection is becoming the serious problem to the women. It is estimated that there are 800.000 – 1.000.000 women having **STDs** in Viet Nam but only 150.000 of them visit the specialized medical treatment. According to the medical statistics in 2003 of the

Ministry of Health, the total number of people having *STDs* diseases in men and women from the age of 15 – 49 were 137,618, in which 103,792 were females (*Source: Ministry of Health: Medical statistics yearbook 2003*). Especially, the patients are from every sector of the society with different jobs.

About the situation of infecting HIV/ AIDS: According to the data of the Viet Nam Administration of HIV/ AIDS control (VAAC) – Ministry of Health, until 30th June 2006, there were 109,989 people infected by HIV, on average there are more than 100 people infected HIV per day, in which 95% of the HIV infection are in the age of 15 – 49, most of them are drug addicts or prostitutes (*Source: People Newspaper, HIV in Viet Nam in the period of quick development – July 14th 2006*). In the past, the victims of this issue are often males, people working in prostitution, and addicts. However, in the recent years, the rate of women affected from this disease are increasing, especially it is rising in the group of high risk. In which there are married women who used to be considered as less chances of infection. The rate of pregnancy infected from HIV is highly going up. According to the Ministry of Health, during the past 10 years, the rate of pregnancy increased from 0.02% in 1994 to 0.37% in 2005 (*Source: Website: hanoitv.org.vn, Pregnant infected HIV under the level of 0.5% - 10/7/2006*), especially in the age of 20 – 29. This leads to the situation of infected HIV in the babies. It is estimated that in Viet Nam, there are about 5,000 – 7,000 pregnancies infected from HIV when giving birth to a baby per year. There are about 8,500 children in the age of 0 -15 living with HIV and more than 22,000 orphans because their parents died of AIDS (*Source: Website: hanoitv.org.vn, Pregnant infected HIV under the level of 0.5% - 10/7/2006*).

Beside that, the rate of prostitutes infected from HIV tends to increase every year. According to the Department for the Social Evils Prevention of Hanoi city, 80% of prostitutes are drug addicts and infected by HIV (*Source: Tien phong Newspape, Thousands of prostitutes are drug addicted and HIV infected - January 20th 2005*).

b. Causes

The reason is that both man and woman lack of safe sexual relation knowledge so they do not know how to protect themselves. Women are passive and based on their husbands.

The rate of men using condoms is very low (7.5% in 2003) (*Source: Statistics Publishing House, Survey on the Fluctuation of Population and Labour resources 1/4/2003: The principle results/, Hanoi – 2002*). According to the statistics of the Population, Family and Children Committee up to 80% of male youth do not use condom for their first sexual relation, even though every one knows at least one type of contraceptive methods (*Source: Viet Nam Net ⁹: More than 20% of men having sexual relationship before marriage - July 6th 2006*). They usually have negative opinions on the use of condom, it is a conservative concept that using condom is only for prostitutes and the ones

who are not faithful. The rate of prostitutes using condom when having sexual relation is very low. Because of the illegal of prostitution activities so that the disease management in this group seems to be ineffective.

In the big hospital, the analysis HIV for the pregnant has been implemented 100% but it is a very small number compared to over 1.5 million of babies are born annually (*Source: Evaluation report on the National Programme on the Prevention HIV/AIDS in Viet Nam in the first stage of 1996 - 6/2001*). The reason is that the HIV analysis is unavailable in the remote and mountainous health centers and the expense is rather high for the poor mothers. The task of consultant to the HIV infected mothers are not good because of inexperienced and non – professional staffs.

The gender issue is not comprehensively introduced to the content of the IEC program on the HIV/AIDS Prevention in recent period. The responsibilities of the men in practicing of safe sexual relation and AIDS patients caring are not highly emphasized.

Although there is no study mentioned to gender issue and the stigma and discrimination to HIV/AIDS women, the HIV/AIDS women are more rejected and strongly ignored as well as worse treated than men.

4.3. Recommendations

- The government should strengthen the investment to the health care system especially at local level. Upgrade the infrastructure, equipment for the labor wards in the rural, mountainous and remote areas.
- The Ministry of Health should organize the training courses in order to improve the skills, to increase of Gender sensitivity, update the information for the teams of staffs as well as medical persons to guarantee the conditions for women to access equality to the reproductive health services in every parts of the country. Moreover, we should improve the knowledge of the people in the community, especially in the mountainous, ethnic minorities and remote areas about a safe motherhood and how to bear a child in a cleanest way. Strengthen the task of sexual education and reproductive health to parents, adolescents and youth.
- The government should increase education, public awareness and access to various contraceptives so that women will not rely on abortion as a means of contraception and (through the increase use of condom) to help prevent the spread of STDs and HIV/AIDS.
- The government should have strict management methods and punishment to the private unsafely abortion centers in order to restrain the situation of available and unsafe abortionists. Combine the

mother-to-child transmission prevention of HIV/AIDS in the task of pregnancy management in the basic grounds. There should be policies to the infected HIV/AIDS pregnancy and children; the policy against the stigma and discrimination to the HIV/AIDS infected people; the management policy to the prostitutes in order to limit the infectious ability of STDs and HIV/AIDS to the community. There should also be effective policies and solutions to prevent from the situation of sexual exploitation, raping as well as trafficking in women and girls .

- NGOs and individuals should be positive participating in the activities of IEC and intervention on the women, children health care treatment, being a safe motherhood especially in the rural, mountainous and remote areas. Strengthen the IEC on the prevention and care of the infected HIV/AIDS in the community.

V. FEMALE LABOUR IN INFORMAL ECONOMIC SECTOR

**** Relevant CEDAW articles: No. 11, 13, 14c, 14d, 14e, 14f, and 14g.**

5.1 Context

In Viet Nam, together with the formal economic sector, the informal economic sector (IES) is an element of the economy including such type of laborers as heads of businesses which have under 10 employees – minimum business; self-payment business people as free labour and household business, vendors, long way bus drivers or who work in house. Hired laborers are diverse, part – time or seasoned including employees in minimum businesses, workers at home or servants. ***The particular features of this sector is that there are many laborers with little capital, lack of access to the market and new technology, unskillful and not protected by the law, thus there are many hidden risks for them, especially for women.***

According to a survey done in 2004 by the Department of Statistics, 90% of the urban labor force works in the informal economic sector. About 20.32 million female laborers (81% of the female labor force) work in this sector. That accounts for 60% of the entire labor force in the informal sector. About 72% of these women are free-lance laborers, 11% are hired, and 17% are free-lance laborers in non-industrial and small-scale businesses. (Source: *The series of survey data on the people's living standard in 2004 of the General Statistic Office*)

The Communist Party and the Government pay attention to women in general and female laborers in particular through policies, such as:

- Article 10 of the *Labor Code* with a particular policy toward female laborers.

- *The Strategy and National Action Plan for the Advancement of Women.*

- Gender objectives in the *Overall Strategy on Growth and Poverty Reduction and Millennium Development Goals.*

- The draft *Law on Gender Equality.*

The State has stipulated indirect solutions, such as:

- A nationwide program through MOLISA (Ministry of Labor, Invalids, and Social Affairs) for promoting job searches and poverty reduction.

- A program for rural women who are starting businesses.

- Prime-rate and credit/loan programs through local organizations and associations.

However, many inadequacies remain in policy execution:

- Some policies directly protect women but do not establish fundamental conditions for gender equality.

- Many factors restrict women's participation in work and curtail women's benefits from work.

- Most policies do not cover all women, especially those in the informal economic sector.

- Gaps between policies and practices remain.

5.2. Challenges to female laborers in the informal economic sector:

5.2.1. Why it's hard for female laborers to find work in the formal sector:

Women's skills are more limited than those of men. Employer discrimination and women's family burdens are also key reasons making it difficult for women to find jobs in the formal sector, particularly because employers must pay for maternity leave. Family burdens may lead to work absences, making it harder for women to join the formal sector. Women often accept work in the informal sector in order to have time for their families.

The 1990-1992 work-force reduction in the State and cooperative sectors impacted women more than men. About 550,000 women lost their jobs in comparison with 300,000 males. (*Source: Department of Labour and Vacation Policy, MOLISA, 1994*) This led to a large number of women who left jobs that had a stable income and social insurance; they were forced to move into the informal sector, where there is less work security and no social insurance.

5.2.2. Women's work capacity in the informal economic sector is lower than men in that same sector and much lower than women's work capacity in the formal sector:

The 2004 people's living standard survey shows that women laborers in non-industrial, small-scale businesses have the highest working capacity, with 10.5% of trained laborers and 14.6% of high-school-graduate laborers. These percentages are lowest in the self-help agricultural sector, with 3.3% and 7.2%, respectively. . (*Source: The series of survey data on the people's living standard in 2004 of the General Statistic Office*)

Female laborers in the informal economic sector – especially hired laborers and free-lance laborers – seldom have access to State socio-cultural activities and State professional training programs. Often, they do not know about these programs or do not have enough time and money to attend them. Therefore, female laborers in this sector become increasingly more disadvantageous than male ones at the same level of working.

5.2.3. Female laborers in the informal economic sector usually have unstable jobs and work longer than men in the same sector and longer than women in the formal sector:

According to a survey by International Labor Organization (ILO) and Research Center for Female Labour (RCFL), laborers in the informal economic sector work 36.6% more than those in the formal sector and those in government (*Source: ILO, Bangkok and Hanoi Office, the Research Center on Women Labour and Gender on: "Gender equality in labour and social welfare for men and women in the formal and informal economic sectors". Social Labour Publishing House, 2003*). Laws limit laborers in the formal sector to from 40 to 48 hours per week with more pay for overtime. However, laborers in the informal economic sector are not covered under the *Law Code*. Often, they must work longer hours with no extra pay for overtime. Hired laborers in small businesses and household businesses work on average 48.81 hours per week.

There is almost no work-time difference between male and female laborers (49.36 hours per week for men and 48.95 hours per week for women). Free-lance laborers work 47.18 hours per week (Source: ILO, Bangkok and Hanoi Office, the Research Center on Women Labour and Gender on: “Gender equality in labour and social welfare for men and women in the formal and informal economic sectors”. Social Labour Publishing House, 2003). These figures correspond with a national survey, which shows that 50% of the laborers in family businesses must work 48 hours per week (Source: The series of survey data on the people’s living standard in 2004 of the General Statistic Office). The long work hours increase health and accident risks for these laborers.

5.2.4. Female laborers in the informal economic sector have unstable incomes and fluctuating living standards:

Generally speaking, females earn less money than males regardless of their education levels and regardless of the kind of job. According to the survey by ILO and RCFL - Research Center for Female Labour, the average monthly salary of hired female laborers is 506,000 VND (\$32.50), while that of urban female laborers is 626,310 VND (\$40.40). The figure for those working in a family business is 668,270 VND (\$43.11). The average monthly income of women in general in the informal economic sector is 577,300 VND (\$37.25), which is only 74% of men’s income. About 41% of female laborers in this sector must find a second or third job, and 37% are looking for jobs. Female with such small incomes must depend on financial support from their families or relatives. (Source: Survey on laborers in IES by ILO and RCFL)

5.2.5. Female laborers in the informal economic sector face many work disadvantages, risks, and social evils:

The most rapid growth in women’s economic activities appears in small businesses in the informal economic sector. The larger part of these activities are at home and are not registered. In recent years, the number of women working at home has increased. Many contribute to processing industries through piece-work quotas. Excluding maids, 90% of those working at home are women. Laborers working at home businesses are vulnerable because of prejudice and a lack of support in any labor negotiations. Often, they must endure dust, high temperatures, low light, and poor hygiene while working at family-run businesses, which do not follow labor safety regulations and have not introduced safety equipment.

Free-lance laborers in the informal economic sector in general and female laborers in particular often do not have a fixed work site. They may have to carry heavy goods from a distance to the moving place of sale. Sometimes they must face negative competition from their colleagues. They are more vulnerable since they are not under the protection of the *Law Code*.

Women migrate from rural areas to the cities to look for jobs in the informal sector. These women are the most vulnerable because they often face social evils and also sometimes slip into violating the law. They are marginalized from the traditional welfare system and must live and work by themselves in risky work environments.

5.2.6. Most hired laborers do not have contracts and are not aware of their rights:

Most hired laborers in the small and super-small businesses in the informal economic sector do not have written contracts but instead have verbal agreements. Any written contracts that do exist are very simple. About 77% of female laborers with signed written contracts have no defined period of work duration. Contracts for seasonal work list only the content of work and the payment. Other contracts have a deadline for listed work. No employers in this sector sign contracts for as long as three years. Hired laborers usually have an inadequate understanding of the regulations for social insurance. They understand little about the law, its practices, and social insurance policies in Viet Nam. They believe that they are not protected by law. The relationship between the hired laborers and their employers is usually based on the revenue of the business. Laborers only continue working if the business prospers. This creates risks for female laborers with a low level of education.

5.2.7. Most laborers in the informal economic sector do not join the social insurance system. Public services do not reach them:

The laborers in the informal economic sector do not receive social insurance, yet they are the very ones who cannot afford to pay for services because their incomes are so low. Since they lack permanent resident registration, these migrant laborers have little chance to participate in the community's life and do not have access to health care and cultural services in their new location.

The owners of these businesses do not sign written contracts with laborers and do not follow social-insurance regulations because these businesses are not covered by the *Law on Businesses* (2003). However, female owners of these businesses follow the social-insurance regulations better than males.

5.2.8. Working in the family:

A survey of the three forms of work in the informal economic sector shows that females work the same amount of time as males. However, they must also do housework and take care of other members in the family. This increases their daily work time by from 1.5 to 2.5 hours per day, or from 9 to 15 hours per week (*Source: ILO, Bangkok and Hanoi Office, the Research Center on Women Labour and Gender on: "Gender equality in labour and social welfare for men and women in the formal and informal economic sectors". Social Labour Publishing House, 2003*). Hired female laborers spend more time on housework than free-lance laborers and female business owners. They have very little time for leisure and for themselves, less than free-lance laborers and females business owners.

5.3. Recommendations:

Until now, the legal and policy systems in many fields (labor, the professions, health, job-training, culture) have not reached this sector. There are no research projects directly supporting this sector. Female laborers' rights have been violated directly or indirectly. Laborers in this sector do not participate in and do not have representatives in any social organization; thus, their problems are not addressed.

The government should take more responsibility in guaranteeing equality and the right of all laborers to access and receive social protection. This is especially true for female laborers in the informal economic sector. It is necessary to have practical solutions in order to help female laborers balance their work and family obligations.

5.3.1. The urgent need is to have comprehensive research on the informal economic sector in order to create the foundation for effective solutions to the problems in this sector.

5.3.2. Complete the social security network, and focus on vulnerable people – particularly on female laborers in the informal economic sector. The optional insurance system must have reasonable regulations and payments to insure participation by a large number of laborers. The *Law on Labor* (2002) and the revised *Law on Insurance* have widened the field of labor management and social protection to laborers with working contracts of three months or more, regardless of the number of laborers in the business. This legal change will bring social and legal protection to a large number of laborers in the informal economic sector. It is important now to define the proper ways to

extend the number of laborers covered. It is necessary to have a better and more committed mechanism to support the improvement of social protection for laborers in the informal economic sector.

The *Law on Business* (2003) encourages the establishment of small-scale businesses with rather simple procedures. Yet, this law does not reach the smallest businesses and does not meet the needs of female business owners. Practical activities in the informal economic sector should be organized, such as small-scale business support programs, especially for the businesses with female owners, in order to upgrade their knowledge of business, financial management, and information technology and so they can form an information network and reduce market risk.

5.3.3. Establish communication programs for people in this sector to improve their awareness of the legal system, labor laws, and worker safety and hygiene.

5.3.4. Address the problem of work hours that are too long for women in the informal economic sector. Adjust to a proper wage for work and for overtime to compensate for low income. Develop an education policy in the formal economic sector that includes job-training programs and social protection for female laborers in the informal economic sector.

5.3.5. Encourage social services to reduce women's family burden. Extend the child health care network; increase insurance privileges and partial subsidies for maternity leave to give women in the formal economic sector more chances to improve their income. Encourage husbands to share housework.

5.3.6. The State should quickly promulgate the *Law on Associations* to promote the formation of NGOs that can participate with the government in solving social problems.

Allow the establishment of association of female laborers in the informal economic sector (such as an association of maids, of migrants, etc) so that they can raise their voices in the society and to the government about their needs and expectations and so that they can get involved when problems occur. Set up a Free Counseling Center for female workers. There should be a department on IES in such social organization as women's union, youth's union and labour's union.

5.3.7. The State should change the human resource management methods soon from resident registration number management to citizen ID management so that, wherever they are currently living, citizens can use their freedom and right of residence to participate in and receive support

from the government through its social services, such as health care and socio-cultural activities in the formal economic sector of the community where they are currently residing. Empower and reform local governments to increase people's participation so that local governments are more responsive to and more responsible for the laborers within their boundaries.

Look for the solutions to inequalities in the informal economic sector, where a large number of females not only contribute to better human rights performance but also promote sustainable development of Viet Nam in the increasingly competitive environment for human resources that will come when Viet Nam joins WTO.

VI. RURAL WOMEN

**** Relevant CEDAW articles: No 5a, No 14, No 14a, No 14f, No 14g**

6.1. Context:

According to data from the General Statistics Office (*KSMS, 2004, p. 27*) regarding household living standards in 2004, females accounted for 50.92 % of the population and men for 49.08%. Among the 75.7% of the country's people living in rural areas, women are 50.72% and men are 49.28%. Therefore, nearly 80% of Vietnamese women live in rural areas. Also, according to the GSO, in 2004 (*KSMS, 2004, p.44*) women age 15 and up accounted for 53.89% of the labor force in agriculture, forestry, and the sea sector, while males accounted for 45.95%. Women produce 60% of agricultural products and share with their husbands in bringing in household income. (*Source: Khoa hoc ve Phu nu – Journal of Women's Studies, 2004, No. 6, p.24*).

During the past years, both the Vietnamese Government and NGOs have made great efforts to eradicate discrimination and to improve the position of rural women in an effort to help them achieve equality with men both in the family and in larger society. The 2000 *Law on Marriage and Family* establishes equality between men and women in marriage, divorce, and the ownership of common property, as well as equality in the rights and responsibilities of husbands and wives in the family. The *Law on Land Management*, which was revised in 2003, states that husbands and wives have equal rights in terms of their names on land-management certificates. Women and men also have equal rights in land use. The Ministry of Agriculture and Rural Development has passed a *Gender Strategy Until 2010* to facilitate gender equality in rural areas.

Vietnamese NGOs, international NGOs, ODA (Overseas Development Aid) from Sweden, USA, Poland, England, Netherlands, Canada, etc.) and IFIs (International Financial Institutions such as the World Bank, the Asia Development Bank, etc.) have financed many projects to improve knowledge on gender equality for rural communities. These projects have helped with capital, technology, and skills development to open new kinds of production for rural men and women. In addition, they have facilitated many studies on the situation, including efforts to define the underlying causes and possible solutions necessary to facilitate gender equality in rural areas.

Even though there are many policies, women and children in rural villages – especially ethnic minorities and those living in mountainous, remote places – have suffered as a result of gender inequality.

6.2. Challenges:

Many sociological surveys point to gender inequality in the rural areas.

6.2.1. Rural women are the principle persons with unpaid jobs:

Although women participate in production and earn money as men do, they are also in charge of most housework. In some ethnic-minority communities, the percentage of men sharing housework is very low. Those figures for the Dao, Cao Lan, and Tay minorities in Thai Nguyen Province are 0%, 5.3%, and 0% respectively, while the figure for the Bru-Van Kieu in Quang Tri is 2% (*Source: Le Thi Kim Lan, 2006, Gender-based labor division in ethnic group of the Bru-Van Kieu, PhD thesis of sociology, Hanoi, p. 92*). “This double role” increases the work time and decreases the relaxation time for women compared with men. According to a Viet Nam Women’s Union assessment of gender equality in Viet Nam in 2004, the average working time of women is 13 hours per day compared to only 9 hours for men (*Quoted in ADB Viet Nam Gender Situation Analysis, November 2005, p. 18*).

6.2.2. Rural women – the main agricultural labor force – form their own sector with low pay:

Rural men tend to “escape” from agricultural production and transfer into non-agricultural activities in their local areas or outside. Between 1993 and 1998, the annual drop in the number of male farmers was 0.3%, while female farmers increased annually by 0.9%. Nowadays, 92% of the newcomers to agriculture are women. Labor in agriculture seems to have been feminized (*Source: ADB Viet Nam Gender Situation Analysis, November 2005, p. 23*). The GSO figures for 2004

showed that 53% of women described themselves as farmers, whereas the figure for men was 46%. Agriculture is among the lowest paid jobs, and women are often paid less than men for the same work. The average salary for women from age 15 up across all the economic sectors is only 85% of the salary for men doing comparable work. However, in the agricultural, forestry and sea sectors, the average salary for women is only 67% of the salary for men doing comparable work. The comparable rates in other sectors are: services 75%; trade, 80%; and industry, 82% (*Source: VHLSS, 2004, Quoted in ADB Viet Nam Gender Situation Analysis, November 2005, p.18*). Thus, men in villagers earn more than women. According to a sociological study, 63.4% of the people sampled in northern rural areas said men were the major contributors to the household economy compared with 30.2% who said women were the major contributors (*Source: The Institute for Gender and Family, 2002, Basis survey data on Viet Nam families and women in industrialization, modernization period, Hanoi, p. 104*). Limited opportunities and limited abilities to earn money are considered barriers to rural women and increase their dependence on their husbands. This continues the perception that men are the bread-winners and that women spend more time on housework.

6.2.3. Rural women's voices and decision-making rights are more limited than those of men both in the family and in the community:

Men in poor villages and among the ethnic minorities make decisions on important issues in the family and community. A 2003 study by OXFAM/UK in poor villages of Lao Cai, Tra Vinh, and Ninh Thuan Provinces showed that women decided only small, daily expenses, while their husbands decided larger expenses, such as household equipment, expensive production tools, house construction, production loans, etc. Husbands occasionally discuss production plans, business, and family expenses with their wives, but more often these are announcements rather than discussions. Even if the wife has ideas, the decision maker is the husband.

Women in some ethnic-minority groups rarely participate in local, authorized social and political organizations. Bru-Van Kieu women are not allowed to join self-management boards. These positions are held by village patriarchs. (*Source: Le Thi Kim Lan, 2006, Gender-based labor division in ethnic group of the Bru-Van Kieu, PhD thesis of sociology, Hanoi, p. 100-101*).

Such conditions provide ethnic-minority men with opportunities to gain education, join meetings in hamlets and communes, connect with the market, and have close contact with sources of information and with new techniques. They can improve their contribution to society. Meanwhile,

women's chances to help address important concerns in the family and community have not improved.

6.2.4. Rural women are not equal to men in their access to and management of economic resources:

Two important resources – land and credit – help rural people earn income. In Viet Nam, the government owns the land, but households hold certificates for land use. Certificate holders can transfer their land rights or use them as collateral for bank loans. The *Land Law*, as amended in 2003, established that both the husband and the wife have the right to have their names in a certificate of land use. However, in reality, women have fewer rights than their husbands because the husbands manage large assets, such as land, the house, and production tools.

Traditionally, the head of the family has his name on the certificate. In rural areas, 80% of the heads of families are men. Therefore, most land owners are men. Further, the majority of rural inheritances are in land and houses. These go to sons when they marry, not to daughters.

This dynamic creates dependence by women on their husbands and their husbands' families and limits their access to credit because the women have no collateral. Bank loans and credit funds are usually controlled by men, and the payments for credit use are under the husband's control. A signature is essential for a bank loan. Many ethnic-minority women are illiterate or do not know the national language (Vietnamese). For these reasons, men usually secure any loans.

Rural women have fewer opportunities than men to access information, techniques, and new means of industrial processing. Men have more chances to approach new means of agricultural production. Often, the direct producers are women, yet men have access to new technology through courses in agriculture, forestry, and fisheries. This inequality contributes to the saying, "Doers are females; learners are males."

6.3. Causes:

6.3.1. The traditional culture of gender discrimination:

Very few changes have happened regarding traditional gender roles in poor rural communities and among ethnic minorities. Women are thought to spend most of their time on housework, while men are considered as bread-winners earning money to support the family. This

leads to job prejudice, with some jobs (forestry, fishing, working away from home, management) reserved for men; other jobs (housework, family care, home production, near-by production, cleaning, cooking) are reserved for women. Local people in rural communities make clear distinctions in characterizing men and women. The emphasis for women is on elegance and dependence. Women are considered as attached to others in their roles as wives and mothers even if they earn money themselves. Men are considered to be strong, decisive, the bread-winners, the mirrors of morality, and the voices for their wives and children. Most important of all, the man is the head of the family and represents the family in social and community relationships.

6.3.2. Rural women are left out of some policies:

Rural households tend to be patriarchal families, where the men are in a high position and the women are in a low position. Men are always heads of families. Governmental policies name the heads of families as the family representatives. Therefore, the name on the land certificate is usually the name of the head of the family. A new article of the revised law allows women to hold land and property. However, in practice, the land and property owners in most cases are men. Regardless of whose name is on the certificate, the decision-maker is always the family head, that is, the man. Participants in training courses are often stipulated as heads of households. Once again, in most cases, the representatives of families are men.

Women farmers have not benefited from the social welfare, medical, and safe motherhood policies that have helped women in the formal economic sector. This dynamic forces rural women to depend on their husbands and their husbands' families. In many cases, rural women and ethnic-minority women do not seek health care, and most rural women have little or no time to relax.

Even though migration is increasing with modernization, no policies support women migrating to look for jobs in non-agricultural sectors. Without protection, women face difficulties and risks in securing housing and short-term work. They face labor and sexual exploitation, trafficking, and other social evils when they emigrate from the countryside to the city.

6.3.3. No mechanisms exist for monitoring laws and policies regarding rural women:

Article No. 4 of the *Law on Marriage and Family* (2000) forbids violence among family members and forbids underage marriage. However, there are no regulations and no punishment for physical and spiritual violence of men against women in rural families. Early marriage in some rural

and mountainous areas is not curtailed. A 2003 study done by the Committee on Population, Family, and Children of H'Mong and Dao ethnic-minority groups in Lai Chau and Cao Bang Provinces shows a marriage rate of 30.33% and 29.33% respectively for people below the age 18. Of those interviewed, 37% said that they did not know about the *Law on Marriage and Family*; 63% knew of the law but did not know its contents.

The government's program for hunger eradication and poverty alleviation has provided special credit grants for poor families, but a UNDP/MOLISA survey shows that only 6% of the poor families used this subsidiary program, while 30% of the poor had no chance even to approach to the program (Source: UNDP-MOLISA, 2004, *Taking Stock, Planning Ahead: Evaluation of the Nation Targeted Programme on Hunger Eradication and poverty Reduction and Programme 135, Hanoi. Quoted in ADB Viet Nam Gender Situation Analysis, November 2005, p. 27*).

Thus, even though the government does have programs with special credit loans, poor rural women have many difficulties accessing the loans.

6.4. Recommendations:

6.4.1. Communication and Advocacy:

The government should have deep and widespread guidelines and policies on the benefits of gender equality. These should be used so that all citizens can improve their knowledge and erase prejudices, backward customs, and old patterns. The government should create chances for rural women to be equal to men in job opportunities, community activities, and decision-making in the family and in communities.

6.4.2. Policy and legacy:

- Establish monitoring of policy implementation and issue regulations on gender equality in the rural areas (the *Law on Marriage and Family*, the *Land Law*, the *Policy of Poverty Alleviation*, the *Labor Code* prevention of trafficking in women, etc). The government should share the responsibility for publicity, support, and legal education on these issues with the NGOs in order to help institutionalize the policies and regulations.

- Build, edit, amend, and issue new policies to facilitate gender equality in the countryside (e.g.: *Law on Gender Equality*, *Law on the Prevention Domestic Violence*, etc). The Government

should establish a policy of social welfare and medical insurance for rural women. The government should have specific policies for pregnant rural women and for mothers, and the government should have policies protecting rural women who migrate from the countryside to the city to look for jobs in non-agricultural sectors.

- Implement gender mainstreaming in leadership, management, and local development activities. Pay particular attention to rural socio-economic development projects, including those financed by foreigners as well as by the government and domestic organizations in order to ensure equal participation by women in the process and benefits of development.

6.4.3. Rural industrialization and urbanization:

The government should have a strategy to generate and mobilize economic and technical infrastructure to support urbanization and the smooth and timely transfer of the majority of agricultural workers into non-agricultural sectors. This should include creation of opportunities for women to participate equally in non-agricultural sectors both inside and outside their villages. The development of a social welfare system and a network of social services will lessen housework and help rural women secure more jobs and improve their positions in their families.

6.4.4. Expand Research Projects:

Expand research projects to evaluate the reality and suggest synchronous, comprehensive, and suitable solutions to end discrimination against rural women.

VII. WOMEN IN FAMILY

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

7.1. Context:

As in other Eastern cultures, Viet Nam's culture respects marriage and the family. Both laws and traditions govern the relationship between husbands and wives. However, it is difficult to reach gender equity in a society where Confucianism still affects the norms of power relationships (*Source: UNDP 2002, Gender Briefing, 2002 October 01*).

Viet Nam's Constitution (1992) and the Law on Marriage and Family (2000) affirm the role and duty of the family in the society. The Committee for Population, Family, and Children is the

administrative equivalent of a ministry. It reaches to all levels from the central to the local and is the national governmental agency responsible for family management. In 2001, the government declared 28 June as Viet Nam's Family Day. In 2006, the draft Law on Gender Equality to insure non-discrimination toward women in the family and in other social institutions was presented to the National Assembly. The draft is under discussion.

Although laws and policies reflect the humane values of Vietnamese culture, there are gaps between laws and reality. The monitoring mechanisms for these laws are still ineffective. Therefore, women's interests are not as well protected as the laws assert.

7.2. Problems:

7.2.1. Problem 1: The social significance of housework (Application of Nos. 16, 5. a, and 2):

Positive points:

Housework has been noted in laws. Article 42 of the *Law on Marriage and Family* (2000) asserts that work in the family is productive work; Article 27 guarantees equal ownership and proprietary rights regardless of income; Article 95 warrants equal division of property in divorce regardless of income; and Decree No. 70/2001/ND-CP requires that both the name of the husband and of the wife appear on papers regarding property rights. In reality, housework gradually becomes the social responsibility of both men and women.

Challenges:

Although housework done by women is noted in the laws and policies and even though there have been some changes, in reality, housework is still insignificant. Women now have more opportunities to participate in social activities but as a result must work harder. Housework is seen as light chores; common thinking is that women should spend their time on housework. Women spend 13.6 hours per week on housework, twice as much as men, 6 hours per week (*Source: FAO-UNDP.2002. Gender difference in the Market Economy in Viet Nam, p. 8*).

Women still spend just as much of their time as men on wage-earning work. They account for a huge percentage of people working between 50 and 60 hours per week and those working more than 61 hours per week.

Because of the polarized thinking of "making money" and "making no money," women work longer so that their husbands can rest. This not only increases women's burdens but also lowers the value of housework.

The Action Programmes of the VWU (2002 - 2007) to narrow the gender gaps tends to stereotype gender roles, re-enforcing the image of women are both wife and mother, as the “good wife” in the family, and as the “good individual” in society.

Even the women themselves have not yet changed their traditional views about their role in the family and society.

7.2.2. Problem 2: Care and protection services for children to create favorable conditions for mothers: (*Application of No 11.2.c and 2*).

Positive points:

- Article 2 of the *Law on Marriage and Family* gives the State and the society responsibility for protecting and supporting mothers and children.

- From 2 May 1994, regulations from the Ministry of Education and Training stipulated minimum standards for infrastructure and for caregivers at private pre-schools and kindergartens (*Source: The Committee of Population, Family and Children-Information Centre. 2003. Children Indicators in Viet Nam 2002.p 45*).

Decree No. 161/2002/QD-TTg in 2002 created policies for the development of pre-school education. Fifty provinces and cities have planning projects until 2010 for pre-school education. Between 2002 and 2005, 412 pre-schools from across the country met the national standards (*Source: Ministry of Education and Training, Internet, edu.net 2006. Pre-school education development-noticeable data. (updated on April 14, 2005 on website edu.net.vn, from newspaper Education and Time, April 12, /2005)*). The health-care system for children is better and services for children have become more diverse (public, private, haft- public).

- The prime minister’s decree 161/202/QD-TTg on 25 February 2003 promulgated policies for child care.

Challenges:

In the year 2002- 2003, the number of children going to kindergarten accounted only for 14.5% the total children at the age. The number of children going to pre-school took 60.1% the total children at the age (*Source: The Committee of Population, Family and Children-Information Centre. 2003. Children Indicators in Viet Nam 2002.p 45*). Clearly, a large number of children do not receive systematic care services. In most cases, mothers, grandparents, or maids take care of the children. .

There is a shortage of facilities and also a lack of quality. Although the Ministry of Education and Training has strict regulations and standards, the number of private kindergartens accounts for half of the total. The resources are still inadequate.

Babysitters and staffs of pre-schools and kindergartens sometimes give children sleeping pills so they do not have to care for them. Sometimes, they steal money, torture the children, and leave the sites dirty and wet, or allow accidents to happen. Ho Chi Minh City has more than 400 kindergartens operating without permission. Some sites lack good hygiene and adequate lighting. Education quality suffers. The serious shortage of kindergartens forces low-income families to use these schools despite their low quality.

Policies also have many inadequacies, and there has been little investment. As a result, changes in child care and education infrastructure are slight, especially in poor regions. The government still has not invested in management. Thus, most innovations have come from non-governmental domestic projects or from international projects. Local budgets are largely for general education only (*Source: Ministry of Education and Training, Internet, edu.net 2006. Pre-school education development-noticeable data. (updated on April 14, 2005 on website edu.net.vn, from newspaper Education and Time, April 12, /2005)*).

By the end of 2004, only 18 cities and provinces had reached the stipulated investment quota of 10% of the education budget for pre-schools and kindergartens; in some localities, the investment was less than 5%. The number of untrained pre-school teachers was 8.58% (19, 947 people) (*Source: Ministry of Education and Training, Internet, edu.net 2006. Pre-school education development-noticeable data. (updated on April 14, 2005 on website edu.net.vn, from newspaper Education and Time, April 12, /2005)*).

It is impossible to create good conditions for women to participate in wider society when the child-care system does not insure the safety of children. Bad conditions put an enormous pressure on mothers. According to international research on children and poverty in 2003, 99.5% of the care-takers of children are women. Because of the mother's traditional role, inadequate kindergartens force mothers to cut down their work time and stay home with the children. This creates discrimination against women even though the law asserts that women have equal opportunity to work outside the home.

Article 64 of the *Constitution* guarantees equality for children. However, boys receive priority whenever family conditions are limited. The percentage of malnourished children illustrates this fact. In recent years, these percentages have decreased. However the decrease among boys has been 28.2% faster than among girls. There is no sign this gap will shrink for the period of 2000-2003

(Source: General Statistic, UNDP, NCFAW. 2005. *Gender Statistic in Viet Nam in the beginning of 21 Century*. P. 33. Women's Publishing House).

7.2.3. Problem 3: Females married to foreigners (Application of No 6):

Positive points:

The *Law on Marriage and Family* affirms and respects marriages between Vietnamese citizens and foreigners. The Vietnamese government has created legal conditions for trans-national marriage. However, Decree No. 68 on 10 July 2002 forbids the use of marriage for the buying and selling brides, exporting labor, sexual abuse toward women and children, and other wrongful purposes.

The Ministry of Justice is building effective solutions to protect Vietnamese brides with foreign husbands. The Prime Minister's Directive No.03/1005/CT – TTg requires local justice agencies to control the situation by directly interviewing both the groom and the bride and by requiring both to be present when signing the contract. The Directive No.03 provides punishment for intermediaries in illegal marriages. In 2003, the Women's Union of Ho Chi Minh City established its Marriage Support Center to address fake marriages.

Challenges:

The phenomena of foreign husbands – mostly Taiwanese, Korean, and Chinese – is increasing. The lives of women married to foreigners vary. Some are lucky enough to have a normal life, some become victims of trafficking, others face sexual abuse and labor exploitation, while still others are forced to be maids in the husband's family and are subjected to other illegal labor practices. Many Vietnamese brides of foreigners face a difficult life because of language and culture barriers and a lack of support from responsible agencies.

The Ho Chi Minh City Department of Justice statistics for 2003 cite 12,983 registered Vietnamese brides married to Taiwanese between 1993 and 2003; 85% of these marriages were by way of an intermediary. Seventy-two per cent of the Vietnamese brides married because of financial problems. *The Women's Newspaper of Ho Chi Minh City* on 20 February 2003 noted that 61% of the Vietnamese women marrying foreign husbands had financial difficulty. Most Taiwanese grooms have a low income that prevents them from marrying Taiwanese, and the percentage of those who are sick is high. The same article notes that 47% of the Taiwanese grooms have physical defects with their arms or legs, 41% are seriously ill, 6% were born with malformations, and 5.9% have mental problems. Clearly, these are not normal marriages.

The Taipei Office of the Culture-Economics says more than 87,000 Vietnamese women are married to Taiwanese (Source: Le Nam. Vietnamese brides in Taiwan.. Youth Newspaper, May 23 ,2005). A report from the Ho Chi Minh City Department of Justice on 4 April 2006 notes that the number of females marrying Taiwanese is decreasing, but marriages to Koreans are increasing. By 2005, the number of women from Ho Chi Minh City who had married Koreans reached 5,822 (Source: Vu Anh Tuan. *Response to the Chosun Newspaper looked down the image of Viet Nameese brides. The Family and Society Newspaper No 69, 30/4/2006*).

Management of current legal policies for trans-national marriage and the procedures for marriage registration are weak. To avoid the direct interview before marriage, Viet Nameese brides send the documents overseas for the first step. The partly completed documents are then sent back to Viet Nam, forcing Vietnamese officials to approve. Viet Nam lacks responsible agencies to address this issue. The women themselves lack information or have wrong information about the country and the situation they are entering.

The image of Vietnamese women is disparaged by these mediated marriages. Companies providing intermediary marriage services cover themselves by other work so they can continue their illegal actions. Government authorities at all levels remain ineffective in discovering and preventing these wrongs.

7.3. Recommendations:

- Enhance the educational communication for male leaders to increase their awareness of the contribution and social significance of housework.
- Provide women with information about their legal right to good working conditions at home through wide communication programs and training courses especially for women in rural and mountainous areas, where it is difficult to access information.
- Provide greater governmental support or cooperation with NGOs to develop communication programs in the rural and remote areas.
- Integrate the social significance of housework into general education.
- Invest in kindergartens, pre-schools, and especially kindergartens for children from 4 months of age (the time when the mothers return to work after maternity leave) to 1.5 years of age, since most kindergartens will not accept this age group. Increase the investment quota for pre-schools to the required minimum 10% of the total education budget in the localities where this quota is still low. Enhance safety regulations and systems for checking the infrastructure of kindergartens and pre-schools. Upgrade teacher training for all levels of public education.

- Encourage private investment in pre-schools to improve the children-care system.
- Create the legal conditions for the Viet Nam Women's Union to open more Marriage Support Centers and to keep an eye on marriages arranged between Vietnamese women and foreigners.
- Investigate and punish illegal marriage intermediary organizations; use the legal regulations to protect women married to foreigners, especially those who will reside overseas amidst strange cultures and languages.
- Work with the related countries (Korea, Taiwan, China, etc.) to supplement each *Agreement on Legal Support in Marriage with Vietnamese*.
- Enhance the knowledge and information of local people about the situation and the lives of Vietnamese women married to foreigners and about trafficking in women. Concentrate on women in the rural areas where it is difficult to access information./.

C. REFERENCES

1. The issue of Violence against Women

- The Committee of Social Issues- National Assembly – Assignment for the Law on Prevention Domestic Violence, No 2330 TTr/UBXH, 2006
- The Supreme People’s Court, Hanoi, 2005
- 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 Agency (SDC), UNFPA.
- The Legal Newspapers No 83, October 17th 1997
- The Project on Gender Equality and Prevention Domestic Violence of Nordic Assistance Organization to Viet Nam (NAV) in Hue, 2006
- The project on the Prevention Domestic Violence of CIDSE in Viet Nam
- Le Thi Quy , The Pain of the Era, Women Publishing House, Hanoi, 1996
- The series of Law on Marriage and Family, Ho Chi Minh National Political Publishing House, Hanoi, 2000
- The series of Penal Code of the Socialist Republic of Viet Nam, National Politics Publishing House, Hanoi, 2000
- National Committee for the Advancement of Women (NCFAW) – Combined report made by CEDAW in Viet Nam (Session number 5 – 6, 2000 - 2003)

2. Women participation in politics

- *Law on People’s Committees and People’s Councils*, National Political Publishing House, H.2003;
- *The National Strategy on the Advancement of Vietnamese Women to 2010*, Women Publishing House, H, 2002;
- *The Resolution No 04-NQ/TW of the Communist Party Political Bureau, July 12th 1993 on the strength of women campaigning tasks in the new situation*;
- *The Directive No. 37-CT/TW of the Communist Party Political Bureau, November 26th 2003 on the management of voting representatives of People’s Councils in all levels in the period of 2004 – 2009*;
- *Decision No 49/Q§-TTg January 8th 2004 of Prime Minister on the issue, enforcement, standard guidelines, mechanism of representatives of People’s Councils in all levels as well as the procedures and personnel of People’s Committees and People’s Councils’ tasks in the period of 2004 – 2009*;

- *Final report on the implementation of Decree No. 37-CT/TW on the issue of women staffs, Board of Management Director of Decree No. 37, March 26th and 27th 2004.*
- *Discussing reports of some provinces and cities in the Workshop of the implementation of Decree No. 37, March 26th and 27th 2004.*
- *Decree No. 79/2003/ND-CP July 7th 2003, new document "The regulation of implementing democracy in the communes".*

3. Women in education

- *Viet Nam Gender Situational Analysis 2005. ADB.*
- *Poverty. Common reports of donors in the Workshop of Consultant meeting of the donors to Viet Nam, the Vietnamese Development Report 2004, Hanoi, December 2003.*
- *The Ministry of Health, General Statistics Office - National Survey on Vietnamese Teenagers and Youngsters, Hanoi, 2005*
- *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;*
- *Do Thi Bich Loan. Gender issues in education in Viet Nam, [http://www.unescobkk.org/fileadmin/user_upload/appeal/gender/Viet Nam.doc](http://www.unescobkk.org/fileadmin/user_upload/appeal/gender/Viet_Nam.doc)*
- *Gender equality in Viet Nam – The Reference Documents for the construction of Law on Gender equality. VWU & UNIFEM, Draft. The Women Union, Hanoi, January 2006*
- *Project VIE-01-015, Situation Analysis: Emerging gender issues in Viet Nam during economic integration, Mekong Economic. Prepared for NCFAW-UNDP-RNE, 5/2004*
- *The team of Poverty prevention, 2003, Poor evaluation with the participation of communities in Ha Giang.*
- *The team of Poverty prevention, 2003, Poor evaluation with the participation of communities in DakLak.*
- *National Committee for the Advancement of Women, Situation Analysis and policy suggestion to improve the advancement women and Gender equality in Viet Nam, VIE Project-96-001, 2002*
- *NCFAW, CEDAW Reports No 5&6,*
- *NCFAW, The statistic of Gender data in the beginning years of 21st century, 2003*
- *UNDP, Gender Differences in Transitional Economy of Viet Nam- Key gender findings from Second VLSS 1997-98.Hanoi, 2002.*
- *UNDP, Desai. "Viet Nam: Through the lens of gender", , 2003.*
- *UNESCO, A situational Analysis of Education for Sustainable Development in the Asia- Pacific Region., Funded by the Japanese Fund-in-Trust, 2005*
- *Viet NamNet, Three barriers of the process of advancement of Women, June 10th 2004*
- *Vu Quang Viet, Education expenses: the "surprising" numbers, , Viet Namnet, February16th 2006*

- Website of Educational Times, *Muong Cha Education – Full of lack and difficulties*, , 2006. <http://www.gdtd.com.vn/gdtdroot/2006-072/bai03.htm>
- Website NCFAW, *Gender equality in the education of Viet Nam*, 2005, <http://www.ubphunu-cfaw.gov.vn/index.asp?lang=V&func=newsdt&CatID=152&newsid=1023&MN=65>
- Website NCFAW, *Viet Nam ranks number 89 in the Gender Development Index*, 2005. <http://www.ubphunu-ncfaw.gov.vn/index.asp?lang=V&func=newsdt&catid=152&newsid=981&MN=65>
- Website TCTK, *Viet Nam achieved many successes in education and training*, ,16/09/2005, <http://www.gso.gov.vn/default.aspx?tabid=382&idmid=2&ItemID=3068>
http://www.unescobkk.org/fileadmin/user_upload/appeal/gender/Viet Nam.doc

4. Women and health

- *National 5th and 6th Combined Report on the Implementation of CEDAW in Viet Nam.*
- *UN in Viet Nam, Gender Briefing - 2002.*
- *Subject report: The quality of service in the medical health care treatment center in the communes/ hamlets – National Medical Survey 2001-2002*, Medical Publishing House, Hanoi 2003.
- *Health's Life Newspaper: The situation of being a safe mother in Viet Nam* , September 28th 2005.
- *The Vietnamese Strategy of Population 2001-2010.*
- *The paper of Minister of Health – Ms. Tran Thi Trung Chien at the National Party Congress No X*
- *National Medical Survey 2001-2002.*
- *Pham Manh Hung, Truong Viet Dung, Goran Dahlgren: Medical reform according to the orientation of equal and effective – the Viet Nameese points of view on some basic issues; Hanoi – January 2001.*
- *Viet Nam Net: The rate of abortion highest in the world - December 15th 2004.*
- *Hanoi New- Newspaper: To 2010: 95% of teenagers and youngsters understand the knowledge of Reproductive Health care* , July 5th 2006.
- *Ephata Viet Nam: The situation of pregnant and abortion at the age of teenagers in Saigon city (extracted from , No 17, in 2001).*
- *Viet Nam Net More than 20% of men having sexual relationship before marriage - July 6th 2006.*
- *Ministry of Health: Medical statistics yearbook 2003*
- *People Newspaper : HIV in Viet Nam in the period of quick development –July 14th 2006*
- *Website: hanoitv.org.vn: Pregnant infected HIV under the level of 0.5% - 10/7/2006.*
- *Vietnamnet: The rate of pregnant infected HIV increase 10 times –November 30th 2004.*

- Tien phong Newspaper: *Thousands of prostitutes are drug addicted and HIV infected* - January 20th 2005
- Statistics Publishing House: *Survey on the Fluctuation of Population and Labour resources 1/4/2003: The principle results/*, Hanoi, 2002.
- *Evaluation report on the National Programme on the Prevention HIV/AIDS in Viet Nam in the first stage of 1996 - 6/2001.*
- Nguyen Truong Nam: *Report “Comprehensive Community-Based Approach to adolescent Sexual and Reproductive Health (ASRH) in Hoa Binh Province, Viet Nam”*, 17/8/2006 Viet Nam RHIYA Programme – RAS/03/P52 (2003-2006).
- Journal of Women Science. 2004. No 6.
- MA thesis on Sociology. Le Thi Kim Lan, Hanoi National University. 2006.

5. The Female labour in informal economic sector.

- Thuy Trang, *Burden of the family and company shoulders*, Economic Times; No 47, 3/ 2006
- *Businesswomen in Viet Nam – a state survey*. Private economic research subject of IFT, GEM, MPDF and AusAID. 3/2006
- Tran Anh Phuong, *Low cost human resources are our strengths.*, Economic Times; No 77, 4/ 2006
- Prof. Lan Dung’s interview. *Artificially rich and really poor farmers*. Labour Newspaper; July 10th 2006
- Hue Dang, *WTO and civil society in Viet Nam.*, BBC Vietnamese.com; June 6th 2006
- Prof. Tran Van Tho, *The issue of equality development in the era of industrialization*, Waseda University, Tokyo, 2006
- Dr. Vu Manh Loi’s presentation in 5 year Summary Workshop on National Action Plan For Women’s Advancement organized by NCFW in 2006. *Evaluation of Gender situation in Viet Nam*. WB; ADB; DFID, CIDA
- *Some issues of Gender developing in the process of economic integration in Viet Nam*. VIE project 01/015/01- Public Gender policy implemented by Mekong delta Corporation for Economic Consultation . NCFW, UNDP and the Embassy of New Zealand, 2005
- Naila Kabeer, Tran Thi Van Anh, Vu Manh Loi, *Preparation for the future: forward-looking strategies to promote Gender equality in Viet Nam*, WB and UN in Viet Nam; December 2005
- ILO, Bangkok and Hanoi Office, the Research Center on Women Labour and Gender on: *“Gender equality in labour and social welfare for men and women in the formal and informal economic sectors”*. Social Labour Publishing House, 2003.
- The Research Center on Women Labour and Gender on *“Survey on Women labour in the informal economic sector”*, 2003
- *The series of survey data on the people’s living standard in 2004* of the General Statistic Office.

6. Rural women

- *Gender Situation Analysis*. ADB. 2005.
- Oxfam GB, *Evaluation report on the needs participatory in Bac Ai and Ninh Hai districts - Ninh Thuan province*. 2003.
- The Institute of General Statistics, *Results on the living standards of the households in 2004*. 2006.
- The Committee of Population, Family and Children, 2003, *Research report on the features of marriage and families in the H'mong and Dao ethnic minorities in Lai Chau and Cao Bang provinces*.
- The Center for Family and Women Studies, *The basic survey data on Viet Nameese families and women in the period of Modernization – Industrialization*. 2002, Social Science Publishing House, Hanoi.
- *The Magazine Science and Women, Volume No 6*. 2004
- Le Thi Kim Lan, *The thesis of sociology for Doctor of Philosophy*, Hanoi National University. 2006.

7. Women in the family

- UNDP *Gender diffirence in the economic transition in Viet Nam*, 2002.
- UNDP, *Gender Briefing*. 2002.
- The Committee of Population, Family and Children, *The criteria of Vietnamese children in 2002, Hanoi*, 2003.
- Tran Tuan and colleagues, *The lives of children – The International study on the poor children*, 2003.
- The Institute of Statistics, UNDP, NCFAW, *the gender statistics data of Viet Nam in the beginning of 21st century*, 2005.
- The Scientific Activities Magazine, *Study on women intellectual and students*. - www.tchdkh.org.vn. 2006.
- Suzette Mitchell, *Gender renovation*. 2006. www.undp.org.vn
- *Team of poverty prevention of Vietnamese government – donors – NGOs – 2000*
- The Ministry of Labor, War Invalids and Social Affairs (*MOLISA*), *Results survey on labour and jobs 2004*.
- The Ministry of Education and Training - *edu.net* 2006
- The Ministry of Education and Training, *Guidelines to the organizations and management of types of schools, private kindergartens*. 1997.
- *Agricultural Nowadays Newspaper*, 15/4/2005

- *Agricultural Nowadays Newspaper, 3/8/2005*
- Dinh Thi Mai Phuong. *Scientific comments on the Law of Marriage and Family in Viet Nam in 2000*, Hanoi, 2006.

ANNEX

LIST OF THE ORGANIZATIONS PARTICIPATING IN THE PROCESS OF MAKING NGOS' REPORT ON CEDAW IMPLEMENTATION IN VIETNAM

Support organizations

1. UNIFEM
2. Embassy of Switzerland
3. Action Aid International in Vietnam

Groups making the report

1. Research Center for Gender and Development (RCGAD)
2. Center for Education Promotion and Empowerment of Women (CEPEW)
3. Institute for Social Development Studies (ISDS)
4. Reproductive and Family Health Center (RaFH)
5. Experts of Interdisciplinary Gender Center (IGC) – National Academy of Public Administration (NAPA)
6. Experts of Institute for Family and Gender Studies (IFGS)
7. Research Center for Gender, Family and Environment in Development (CGFED)

Authors composing the report

1. Ass.Prof. Dr. Le Thi Quy
2. Dr. Vuong Thi Hanh
3. MA. Nguyen Thi Van Anh
4. BA. Vu Thi Thanh Nhan
5. Ass.Prof. Dr. Nguyen Thi Hoai Duc
6. BA. Nguyen Thi Van Anh
7. Dr. Nguyen Thu Linh
8. BA. Trinh Thu Nga
9. Dr. Le Ngoc Van

Sub-report

- Subject report on “Violence against women”
- Subject report on “Women participation in politics”
- Subject report on “Women in Education”
- Subject report on “Women and Health”
- Subject report on “Female labour in informal economic sector”
- Subject report on “Rural women”
- Subject report on “Women in Family”

Organization

- RCGAD
- CEPEW
- ISDS
- ISDS
- RaFH
- RaFH
- IGC
- IGC
- IFGS

10. BA. Bui Huong Tram
11. MA. Pham Kim Ngoc
12. BA. Cao Ho Thu Thuy

IFGS
CGFED
CGFED

Report editors

1. Dr. Vuong Thi Hanh
2. Ass.Prof. Dr. Le Thi Quy
3. Dr. Le Ngoc Van
4. Dr. Tran Thi Van Anh

Organization
CEPEW
RCGAD
IFGS
Journal of Family and
Gender Studies

Report translator

1. Ms. Trinh Phuong My

Organization
Hanoi University of Social
Sciences and Humanities

English editor of the report

1. Ms. Lady Borton

Organization
Quaker in Vietnam

Organizations and individuals supporting and contributing to report making process

1. Ms. Rea Abada Chiongson
2. Ms. Khuat Thu Hong
3. Mr. Vu Ngoc Binh
4. Ms. Tanja Zangger
5. Ms. Nguyen Thanh Giang
6. Ms. Doan Thuy Dung
7. Ms. Tran Dong Mai
8. International Women's Rights Action Watch (IWRAP Asian Pacific)
9. Center for studies an and applied sciences in gender family – women and adolescent (CSAGA)

Trainer from IWRAW Asian Pacific
Former National Coordinator of CEDAW SEAP in Vietnam
Programme manager of CEDAW SEAP in Vietnam
Second Secretary of The Embassy of Switzerland
Programme Officer of Swiss Agency for Development and Cooperation (SCD) - The Embassy of Switzerland
Gender officer, ActionAid Vietnam
GenComNet coordinator

10. Development for Women and Children (DWC)
11. Vietnamese Community Mobilization Center for HIV/AIDS Control (VICOMC)
12. Unesco Center for non-formal Education of Vietnam (UCNEV)
13. Center for Small Business Training (CSBT)
14. STD/HIV/AIDS Prevention Center (SHAPC)
15. Center for Sustainable Development (CSDM)
16. Center for Public Health and Community Development (CEPHAD)
17. Center for Sustainable Rural Development (SRD)
18. Legal Aid Center (LAC)
19. Sustainable Community Development Center (S-CODE)
20. Institute for Family and Gender Studies (IFGS)