

## **SPEECH OF H.E. MR. DOAN MAU DIEP**

Head of the Delegation of the Socialist Republic of Vietnam  
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- His Excellency Jean Zermatten, Chairman of the UN Committee on the Rights of the Child and committee members,

- Ladies and Gentlemen,

The full report of Vietnam on the implementation of the Convention on the Rights of the Child has been submitted to the UN Committee on the Rights of the Child. Within the time limit of this session, I have the pleasure to deliver, on behalf of Vietnam Delegation, the summary report of the country report. I will firstly present an overview of the socio-economic context in Vietnam in the period 2008-2011; key progresses and outcomes on the implementation of the Convention in 2008-2011; and shortcomings and challenges in the protection, care and education for children in Vietnam in the past years and guidelines for the years to come.

### **PART I OVERVIEW ON SOCIO-ECONOMIC SITUATION IN VIET NAM IN THE PERIOD OF 2008 – 2011**

In implementing the Strategy on socio-economic development for 2001 – 2010 and the Strategy on socio-economic development for 2011 – 2020, Viet Nam's economy has seen gradual and stable development since 2008. The GDP growth has averaged at 7.26% per year in the period of 2001- 2010. The economic structure has moved toward the goals of industrialization and modernization. The GDP per capita in 2008 went up from US\$ 1,052 to about US\$ 1,300 in 2011, and increased threefold against 2000. In 2011, Viet Nam's GDP growth reached 5.9%. Viet Nam thereby moved from the group of poorest countries to the group of low, middle-income countries.

Alongside the economic development, Viet Nam has paid special attention to and given priorities over resources for the social development. Therefore, encouraging achievements have been recorded in this area. About 1.7 million jobs per year have been created. The rate of urban unemployment has maintained at 5 – 6%. The public healthcare has been paid great attention to; the healthcare network has been strengthened and upgraded, activities of the preventive healthcare have been further promoted; newly emerging diseases have been treated in a fast and timely manner. The life expectancy of the Vietnamese people has increased from 72.8 years old in 2009 to the age of 73.2 in 2011.

Together with the maintenance of achievements on primary school universalization, the implementation of secondary school universalization has gained various achievements, and the

training scale at the university, college, technical college and vocational school levels has risen by 20% per annum.

Viet Nam pays great attention to the vulnerable groups such as women, children, minorities, people living with HIV/AIDS and the disabled including victims of Agent Orange. To each group, Viet Nam has specific priority mechanisms and policies to protect, support and create opportunities for them to develop and integrate into the social life. Consequently, these vulnerable groups have step-by-step accessed fundamental social services; focus on investment to infrastructure in difficult areas has been improved, especially in mountainous and remote areas and areas where ethnic minorities live in.

The life of many people have been better improved, particularly women, children and ethnic minorities. The rate of poor households decreased to 12% in 2011 according to the standard for 2011 – 2015, an average decrease of 2% per year. Viet Nam has been recognized as one of the countries taking the lead in poverty reduction and implementation of the Millennium Development Goals.

Viet Nam regards people as a goal and driving force for all policies toward socio-economic development and promotion of human rights, including the rights for children. In addition to the formulation and improvement of the legal system to better guarantee human rights, Viet Nam has signed, participated in and implemented the most important international conventions on human rights, including the Covenant on Civil and Political Rights, the Covenant on Economic, Cultural and Social Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Rights of the Child, and the Convention on Protection of Children and Co-operation in respect of cross-country adoption . Furthermore, Viet Nam is a signatory to 18 Conventions of the Organization of International Labor and considering the ratification of the Convention on the Rights of Persons with Disabilities and the participation in the Convention against Torture. The State of Viet Nam commits itself to complying with international conventions that it is a signatory to. In case of contradictions between the Vietnamese laws and the international conventions that Viet Nam is a party to, the international conventions will prevail.

Viet Nam is an active and responsible member of the United Nations and cooperating fully with United Nations human rights mechanisms. In September 2009, Viet Nam successfully submitted its National Report on the implementation of human rights, including the rights of the child in Viet Nam under the mechanism of Universal Periodic Review (UPR) of the Human Rights Council, and was assessed to record encouraging achievements. In implementing commitments made at the UPR 1<sup>st</sup> cycle, Viet Nam has so far received three independent experts of the United Nations on minority issues (July 2010), human rights and extreme poverty (August 2010), the effects of foreign debt on the enjoyment of human rights (March 2011), and the Special Rapporteur on the right to health (November 2011). Viet Nam has made active contribution to the establishment and activities of the ASEAN Intergovernmental Commission on Human Rights and assumed the Chairmanship of this Commission in 2010. Viet Nam has participated in many

international and regional conferences on human rights and conducted annual human rights dialogue with the U.S., the EU, Australia, Norway and Switzerland, thus strengthening the mutual understanding and attaining active outcomes.

In the period of 2008 – 2011, Viet Nam has actively implemented international commitments and obligations related to children. Under the multilateral cooperation frameworks, Viet Nam cooperated with countries in the Colombo process on labor migration and worked with the Non-Aligned Movement on gender equality and women advancement. In these fora, Viet Nam committed itself to protecting the rights of female migrant workers and their families (including children), women, and children in general. Under the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) including six countries (namely Viet Nam, Cambodia, China, Laos, Myanmar and Thailand), Viet Nam has ratified the 3<sup>rd</sup> Action Plan for the period of 2011-2013 related to human trafficking. Viet Nam has dynamically participated in activities of the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC) to contribute to the implementation of international and regional documents related to the rights of women and children. And at the same time, Viet Nam has focused on its collaboration among the Convention on the Rights of the Child (CRC), the Committee on the Elimination of Discrimination against Women (CEDAW) and the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC) to implement more effectively the final conclusions of these mechanisms at the national and regional level.

In spite of encouraging achievements, Viet Nam has still faced a number of difficulties in the process of socio-economic development, which are to maintain the macro-economic stability, control inflation, ensure social security and sustainable development, enhance the competitiveness, increase income per capita, reduce the rate of poor people, bridge the gap between the rich and the poor, prevent natural disasters and pandemics. In addition, climate change and the world economic recession have made adverse impacts on production, people's life as well as implementation of the rights of children in Viet Nam.

## **PART II**

### **RESULTS AND PROGRESS MADE IN THE IMPLEMENTATION OF THE RIGHTS OF THE CHILD IN VIET NAM**

#### **1. Complete the legal system and policies toward children**

According to the consistent motto "*Best interest must be given to children*", the legal system and policies toward children have been increasingly improved. Regulations and standards of international laws have been incorporated into the domestic law, ensuring the harmony and conformity to Viet Nam's socio-economic conditions as follows:

The 2008 Law on Nationality of Viet Nam stipulates the right to have nationality and be guaranteed on nationality, including children's nationality.

The 2008 Law on Healthcare Insurance promulgates that children, who are below the age of six, live in poor households, are ethnic minorities living in extremely difficult communes, hamlets and villages and live in the extremely difficult conditions, are entitled to be covered by social welfare and granted healthcare insurance cards by the State. Children of the nearly poor households are partly provided with financial assistance for purchases on healthcare insurance cards;

The 2009 Amended and Supplemented Penal Code amended a number of provisions directly related to juvenile justice; and changed the crime of women and children trafficking to human trafficking.

The 2010 Law on Adoption demonstrates the spirit of the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-Country Adoption; identifies the regulation on respecting the rights of children living in the environment of their original families, encourages humanitarian assistance in rearing, caring for and educating children living in special conditions.

The 2010 Law on Execution of criminal judgments affirms that judgment exercises to juvenile aims at educating and helping them correct their mistakes, grow healthily and become useful people for the society.

The Law on People with Disabilities in 2010 stipulates policies toward assisting the disabled, including children in terms of social welfare, medical check-up and treatment, orthopedic rehabilitation, education, vocational training, access to public facilities, transport and social integration.

The Law against Human Trafficking in 2011 stipulates the protection of children who are victims of human trafficking.

Viet Nam has also actively reviewed, prepared and planned to amend a number of articles of the Law on protecting, nurturing and educating children (amended in 2004) in accordance with the new context, conditions and requirements on protecting, nurturing and educating children.

The Government has introduced policies toward better guaranteeing social welfare for the poor, ethnic minorities, low-income people and the vulnerable groups. Children also benefit from these policies such as policies on social welfare, housing, supporting low-income people who receive their salary from the State budget, power tariff support, assistance to children of kindergartens, primary and secondary schools residing in communes and hamlets of extreme difficult, subsidies for the poor and building facilities suitable to children, etc.

In addition, the Government has introduced 15 National Goal Programs, other national programs directly related to the exercise of the rights of children such as the Program on Poverty Reduction, the Program on Employment, the Program on Vocational Training for Rural Workers, the Program on Population and Family Planning, the Program on Fresh Water and Environmental Sanitation, the Program on Prevention of Social Diseases, the Program against HIV/AIDS, the Program on Public Healthcare, the Program on Cultural Development, Education and Training, etc, and other programs exclusively for children such as the National Program on Children Protection in the period of 2011-2015, the National Action Program for Vietnamese Children for

2011-2020; the Program on prevention of accidents and wounds for children, the Project on kindergarten universalization for children below 5 years old, etc. These policies and programs have significantly contributed to the advancement of the exercise of the rights of children in Viet Nam.

## **2. Progress achieved in protecting, rearing and educating children**

**2.1. Healthcare and nutrition** (*the survival rights*): The healthcare system has been continuously improved in terms of staff, facilities and medicine. Most of the communes and wards have clinics. Children of poor households, ethnic minorities living in extremely difficult communes, and children under the age of six receive 100% free healthcare check-up and treatment. In 2011, there were about 66% of children covered by healthcare insurance. The investment by the Government in healthcare increased, accounting for about 6% of the central budget (it was 4% in 2007). The rates of malnutrition, infant and maternal mortality, etc have decreased.

**2.2. Education** (*the development rights*): The network of kindergartens, primary and secondary schools, both public and private, has developed nationwide. All communes have kindergartens and primary, secondary schools; 100% of districts have secondary schools. All mountainous provinces have boarding and day-boarding secondary schools for children belonging to ethnic minorities. The proportion of pupils attending school at their appropriate age at all grades grew in consecutive years from the school year of 2000-2001 to that of 2009-2010. The proportion of children aged 5 attending nursery schools has increased remarkably from 88 % in 2005 to 95% in 2010. The rate of pupils attending primary and secondary schools at their appropriate age also went up. Nearly 50% of children with disabilities have access to schools with specialized and integrated forms of education. The expenditure for education increased gradually per annum. In 2011, it accounted for 20% of the central budget (the figure was 14% in 2007).

The building of schools safe and friendly with children increasingly expanded and gained fruitful outcomes, thus noticeably reducing significantly school violence. Educational equity has been ensured through favorable policies and social mobilization to support female children, ethnic minority children and children living in poor households.

**2.3. Children protection** (*Exercising the right to be protected*): Children protection was implemented at three levels (prevention; interference to reduce risks and support for children who live in difficult conditions and are vulnerable to recovery and integration). Forms of children protection living in special hardship were diversified and more suitable to meet the needs of each group. Therefore, by 2011, the proportion of children living in special hardship was reduced to below 6% of the rate of children in hardship nurtured increased to over 80%. The number of children who are in special hardship, poor households, ethnic minorities living in extremely difficult areas, are under 6 years old receiving support of the State increased rapidly. 100% of children living in special hardship, poor households and ethnic minority children were offered free-of-charge legal assistance on demand. All ethnic minority children received educational support through policies toward tuition exemption and reduction and other kinds of support, etc.

Viet Nam is also implementing a pilot system on children protection to strengthen the collaboration among competent agencies and social organizations in children nurture and protection. Some provinces have established the Center for Social Activities and Consulting Offices to timely provide consulting services, nurture and protection for children on demand. Viet Nam has also issued criteria on recognition of communes and districts suitable to children; safe houses, schools and communities for better protection of children.

**2.4. Leisure, entertainment and enjoyment of the right to participation (the right to participation):**

Currently, the system of cultural institutions has developed throughout the country from provincial to grassroots level, thus enabling children to play, participate in recreation, cultural, art, physical and sports activities appropriate to their age. Activities of the cultural centers, cultural houses and exhibition centers include organizing artistic, singing, dancing, music, art, martial arts, sports classes, thematic exhibitions for all ages, especially for children. As of 2010, the rate of the communes with standard recreation and entertainment places for children is 38.4%; rate of districts with recreation centers for children is 47%; there are 307/685 children's cultural houses at district and provincial level (44.8%); 100% of provinces and the first class cities (under the central administration) have libraries.

Activities to enhance the participation of children were gradually duplicated nationwide. Many kinds of fora for children were established by agencies and organizations to help children express their views at schools, localities throughout the country. The National Forum for Children will take place biennially as of 2009. In this forum, children can exchange their views and express their aspiration to leaders of the Party and State on the exercise of the rights of children. This activity has received good comments of people in the country and outside.

**PART III**  
**CHALLENGES IN CHILD CARE, PROTECTION AND EDUCATION**  
**AND GUIDELINES IN THE FUTURE IN VIETNAM**

**1. Access to healthcare, nutrition, clean water and sanitation**

Despite the reduced malnutrition rate of children below the age of 5 (by their weight and age), disparities still occurred in different areas. The malnutrition rate of underweight children under 5 years old was high. The average rate nationwide is 29.3% and particularly in some rural areas, this number is nearly 36%. The number of pediatricians and beds for pediatric patients did not meet practical demand. Children of poor households, in remote areas and areas of ethnic minorities had difficulties in accessing primary healthcare, etc. The quality of fresh water was low; weaknesses appeared in the management, usage and maintenance of sanitary equipment at schools, health clinics and residential areas.

**2. Regarding education**

Education in areas of ethnic minorities and remote areas vigorously developed and made considerable progress. The number of schools fundamentally guaranteed that ethnic minority children could enroll right at their communes, hamlets and villages. However, there

were disparities in access to and the gap on the quality of education among the urban, rural, delta, mountainous and remote areas. Ethnic minority children faced the language barrier when attending school. Some poor children and children living in special hardship did not have access to education. The enrolment and graduation rates of some groups were lower than the general rate (the rate of children with disabilities attending the integration education only reached 50%); the rate of ethnic minority children completing primary school remained low.

### **3. Regarding children protection**

There has been some positive changes in the child right based approach, such as children protection was implemented at three levels, nurture forms for children of special hardship were diversified and more suitable to demands of each group. However, some challenges still persist. The maltreatment, abuse, violence toward, exploitation, trafficking and neglect of children and juvenile violating the laws were complicated and some cases were serious. The implementation of school discipline was not flexible and in line with the principle of children's best interests. The law on protection, nurture and assistant to children living in special hardship were comprehensive, but some specific regulations were slowly amended and supplemented, resulting in the ineffectiveness. There lacked an effective organization and provision network of services on children protection.

### **4. Regarding leisure, entertainment and participation of children**

More attention is paid to activities for children's entertainment but is not adequate due to children's increasing demand. The investment resource was limited. There was a short in human resources that were competent and skillful in working with children. Cultural institutions, information and facilities for children's entertainment did not meet the requirement on social and children development.

### **5. Suggested solutions in the upcoming period**

Give priority over activities, overcome shortcomings of the 2001- 2010 period based on the Convention, conditions of national socio-economic development and suggestions of the Committee on the Rights of the Child (submitted for the Prime Minister's approval).

**The 2011- 2020 Children's National action program** aims to establish a safe, friendly and healthy environment to better exercise the rights of children. The gap on living conditions should gradually be bridged among groups of children at different areas. The quality of children's life should be increased; equal opportunities for children's development must be created.

There are five goals as follows:

- Create opportunities for all children to access primary healthcare services and step-by-step access to high quality healthcare services in an equal manner; ensure adequate and proper nutrition for children, reduce the malnutrition with a view to lift our country out of the group having the world's highest rate of malnutrition stunting children.
- Create opportunities for all children to access forms of education in an appropriately and non-discriminatory manner, increase the number of children in kindergartens and primary schools at their specified age; gradually enhance the education quality in countryside and

mountainous areas. Strengthen the education of integration for children with disability, living with HIV and mental disorders.

- Protect children from maltreatment, abuse, violence, exploitation, neglect and reduce the likelihood of children living in special hardship. Ensure that all children living in special hardship or being abused are supported to re-integrate into the community and enjoy equal opportunities for development.
- Enable children to participate in entertainment, cultural activities and sports healthily and usefully in accordance with their age, gender and characteristics of areas, enhance the education on culture and good traditional practices of the nation for children, particularly traditional games which are educational and economical. Reduce the situation of children having access to violent and pornographic publications.
- Enable children to access information, participate in social activities, express their views on issues related to children through fora at all levels or dialogues between children and management agencies, National Assembly Deputies and People's Councils at various levels.

To ensure the success of the Program, specific measures will be implemented, including:

Strengthening the leadership of committees and authorities at all levels about the protection, care and education of children. Promoting and educating to raise awareness of the meaning and importance of the protection, care and education of children. Implementing child care and protection activities by mobilizing state budget and resources, and social contribution. Providing protection, care, education, leisure and entertainment services for children; creating opportunities, facilitating children's active participation in activities on protection, care and education of children and other social activities consistent with age. Promoting scientific research, international cooperation and creating a network of collaborators to give children the best services and to ensure child rights.

## **PART IV CONCLUSION**

With over twenty years as a signatory to the Convention on the Rights of the Child, Viet Nam has carried out its international commitments well. Currently, Viet Nam's legal framework is relatively complete and comprehensive, in line with the principles and regulations of the Convention on the Rights of the Child. The State of Viet Nam has been working to issue legal documents related to the protection, care and education of children and approve many programs, projects, national targets related to children.

Besides the achievements in protection of children's rights, there are many challenges on the road ahead, which are related to the realization of the Convention on the Rights of the Child due to Viet Nam being a developing country with limited resources and many difficulties. The Government of Vietnam commits to review and revise, specify to fulfill the Vietnam's legal



system, in line with international legal system, in order to annihilate any concerns, weaknesses regarding the implementation of child rights.

On behalf of the Government of Vietnam and the Delegation, I would like to express my sincere thanks to the Chairman of Committee on the Rights of the Child and members, as well as other delegates for giving us the chance to deliver the report in this Conference. We look forward to your feedback and comments in order to implement the Convention more effectively. The Government of Vietnam expects a further support from the UN's Committee on the Rights of the Child, UNICEF, international organizations and UN's country members, in order to provide a better care, protection and education for Vietnamese children.

Thank you very much./.